

TEXAS.

William E. Dwyer to be postmaster at Brenham, in the county of Washington and State of Texas.

Talvus D. Wilson to be postmaster at Livingston, in the county of Polk and State of Texas.

UTAH.

James P. Driscoll to be postmaster at Eureka, in the county of Juab and State of Utah.

WISCONSIN.

Samuel S. Fifield to be postmaster at Ashland, in the county of Ashland and State of Wisconsin.

Frank A. Johnson to be postmaster at Spring Valley, in the county of Pierce and State of Wisconsin.

Peter E. Olsen to be postmaster at Rice Lake, in the county of Barron and State of Wisconsin.

Charles P. Peterson to be postmaster at Glenwood, in the county of St. Croix and State of Wisconsin.

Charles L. Valentine to be postmaster at Janesville, in the county of Rock and State of Wisconsin.

Ambrose H. Woodworth to be postmaster at Tomahawk, in the county of Lincoln and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 24, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment joint resolution (H. J. Res. 87) to authorize use of transport *Sumner* to convey members of Santiago Battlefield Commission and others to Cuba and return.

STATEHOOD BILL.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Pennsylvania [Mr. DALZELL] submits a privileged report from the Committee on Rules, which the Clerk will read.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 181, have had the same under consideration and respectfully report the following resolution in lieu thereof:

Resolved, That immediately upon the adoption of this order, and daily hereafter, immediately upon the approval of the Journal, so long as the bill hereinafter referred to shall be pending in Committee of the Whole House on the state of the Union, the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12707) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; that after the said bill shall have been read general debate shall continue until Thursday next at 3 p. m.; and at that hour, or, if general debate shall be concluded before that hour, immediately upon the conclusion of said general debate, the Committee of the Whole House on the state of the Union shall rise and report the bill to the House; whereupon immediately, without debate, intervening motion, or appeal, a vote shall be taken on the bill to a final passage: *Provided further*, That general leave to print remarks on the bill is hereby granted for six legislative days after Thursday, the 25th day of January next."

Mr. DALZELL. Mr. Speaker, I would like to have the attention of the gentleman from Mississippi for a moment. I would suggest that instead of the forty minutes' debate that we would have under the rule on the previous question that we agree upon a time to be equally divided between us.

Mr. WILLIAMS. Say forty-five minutes on a side.

Mr. DALZELL. That is satisfactory to me. Then I ask unanimous consent, Mr. Speaker, that an hour and a half debate be allowed upon the discussion of the rule, one half to be controlled by myself and the other half by the gentleman from Mississippi.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that an hour and a half be allowed for debate upon the proposed rule, and that the time be equally divided between the gentleman from Pennsylvania and the gentleman from Mississippi. Is there objection? [After a pause.] The Chair hears none.

Mr. DALZELL. In order that there may be no misunderstanding, I will say this hour and a half is to be in lieu of the forty minutes under the rule.

Mr. WILLIAMS. Yes.

Mr. DALZELL. Mr. Speaker, I do not propose at this stage of the discussion to take any time further than to explain the proposition before the House. The Committee on Territories

has reported to this House a bill providing for the admission to statehood of the Indian Territory and Oklahoma as one State and Arizona and New Mexico as another State. If this rule be adopted, that bill will come before the House at once for immediate discussion. The House will resolve itself into the Committee of the Whole House on the state of the Union, and general debate will continue until to-morrow at 3 o'clock. At 3 o'clock to-morrow, or at the end of general debate, if it should end sooner, a vote will be taken upon the adoption of the bill.

Having said this much, Mr. Speaker, I reserve the balance of my time until later on.

The SPEAKER. The gentleman from Pennsylvania reserves the remainder of his time. The gentleman from Mississippi [Mr. WILLIAMS] is recognized.

Mr. WILLIAMS. Mr. Speaker, I take it that the House understands the question, and yet it is important that the country should understand it as well. This rule which we are now considering is a rule to make the House vote upon a bill admitting four Territories as two States, denying to the House the right to separate the two propositions, denying to the House the right to give a separate vote in these separate Territories to the people thereof upon the question of whether or not they desire to enter the Union in the manner prescribed in the bill.

Mr. Speaker, this morning in the Committee on Rules several efforts were made, as the efforts will be made here, if possible, to amend the rule itself. Gentlemen must not deceive themselves. The point of this fight is upon voting up or voting down the previous question. If the previous question is voted upon the House, then no opportunity will be left to amend either the rule or the bill. You must take the bill as it is, in its omnibus shape, or you must reject it as it is. You will have no opportunity whatsoever to admit, as an independent proposition, Oklahoma and the Indian Territory into the Union as a State; and yet there is not a man upon this floor opposed to admitting those two Territories as a State into the Union. This queer situation confronts us, that the majority is holding over the House as a whip the impossibility of admitting Oklahoma and Indian Territory, a thing that everybody desires, unless the House will do something that the House does not wish to do, to wit, at the same time, as a part of the same mouthful, admit Arizona and New Mexico, against the will of the people of Arizona, into the Union as one State; coupled together for all time as a State into the Union, with populations differing in language, differing in religion, differing in traditions, differing in customs, necessarily antagonistic to one another; admitting into the Union a State within the womb of which there will be at all times a race antagonism of the most considerable sort.

But the thing to which I am addressing myself now is the fact that this rule if passed prevents this House, representative of the people of the United States, in a matter of the very highest privilege and most permanent importance, of expressing its true will. If you adopt the previous question, that will be the end of your connection with this bill, except a vote in favor of the bill or a vote opposed to the bill. Now, if the previous question is voted down, I shall move to strike out of the rule all the language after the word "States," in line 13 of the first page of the rule. That would then bring the statehood bill into the House under the ordinary rules of the House, subject to the control and management of the House, so that the House could vote up the proposition to bring Oklahoma and Indian Territory into the Union as a State, and could vote down the proposition to bring Arizona and New Mexico into the Union as a State, or could take the opposite course, or could vote both up or could vote both down.

All that is aimed at is to give the House the control of itself; and you gentlemen over there must remember that you as a party control the House. All that we are asking is that each individual Member of you, in the interest of what is good for the general welfare of the country, may have an opportunity to vote upon each of these items separately; may have an opportunity to amend this bill and make it better for everybody. [Loud applause on the Democratic side.] Now, you understand the proposition. There can not be any mistake about it; every one of you knows if you vote the previous question upon this House that you cut off the opportunity of admitting Oklahoma and the Indian Territory, no matter how advisable or wise and absolutely just and requisite it may be, unless at the same time the population of Arizona is forced into an unwilling marriage with the population of New Mexico, and the population of New Mexico into an unwilling marriage with the population of Arizona.

Now, Mr. Speaker, how much time have I consumed?

The SPEAKER. The gentleman has consumed six minutes.

Mr. WILLIAMS. Mr. Speaker, I yield six minutes to the gentleman from Idaho [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, we have yet to hear the arguments that will be made on this side in support of this resolution. So we can only guess what these arguments shall be. I hope that the motion for the previous question on this resolution will be voted down, and that the motion which will then be made, to strike out all after the word "States," in line 13 of the rule, will be carried. The House will then proceed to the consideration of this bill under the rules of the House, and every Member here will have an opportunity to record his honest judgment on this measure and all features of it.

I know it will be said, Mr. Speaker, that this is a party measure, and therefore those on this side should vote for the measure. Mr. Speaker, nothing can ever be made a Republican party measure save and alone by the action of the Republican party. The only official action that has ever been taken by our party on the question of statehood for Arizona and New Mexico has been contrary to the provisions of this bill. No measure can ever be made a Republican measure that does violence to the wishes and desires of the people of two great Territories of the Union, and we know that practically every man, woman, and child in Arizona is opposed to the jointure of the two Territories; and only by reason of the fact that the people of New Mexico have been assured that they must accept this jointure or remain out of the Union have they tardily, reluctantly acquiesced in a procedure which makes them unwilling parties to the outrage of a sister Territory.

We can not escape the responsibility we owe our constituents by voluntarily tying our own hands and placing ourselves in a position where we can not vote in accordance with the dictates of our conscience and the promptings of our judgment on this measure. Practically all are agreed in regard to the bringing of the Territory of Oklahoma into the Union. There is wide difference of opinion in this body, as is known to every Member, with reference to the action which should be taken with regard to Arizona and New Mexico. There are some who believe that both should be admitted separately; there are others who believe that neither Territory should be admitted at this time, and there is unquestionably a majority here who, if their hands and votes are not tied by this rule, will insist that these two Territories, promised through the act that established the government of Arizona separate statehood, promised by the voice of the Republican party in convention assembled, separate statehood, shall not be joined against their will in an unwieldy, inharmonious State.

I hope, therefore, Mr. Speaker, that the previous question will be voted down, and that an opportunity will be given to the Members of this House to express their judgment on this measure, to the end that the people of those two Territories in the Southwest may have justice done them; that this violence to the pledges of our party shall not be accomplished, and that our party may continue to be what it always has been—a party true to its every pledge and promise; a party that does justice and equity. [Loud applause.]

I yield back the balance of my time to the gentleman from Mississippi.

Mr. GAINES of Tennessee. Mr. Speaker, I rise to a question of order. I could not hear anything the gentleman said.

Mr. WILLIAMS. Mr. Speaker, how much time did the gentleman consume?

The SPEAKER. The gentleman consumed six minutes. Occupants of the galleries will please not converse; gentlemen on the floor of the House will please be in order.

Mr. WILLIAMS. I hope that the gentleman from Pennsylvania will now consume some of his time.

Mr. DALZELL. Mr. Speaker, I yield ten minutes to the gentleman from Ohio [Mr. GROSVENOR].

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR] is recognized for ten minutes.

Mr. GROSVENOR. Mr. Speaker, I will not attempt to disguise the position of the Republican party on this floor in the support of the rule pending and ultimately the bill as reported from the Committee on Territories. The gentleman from Wyoming [Mr. MONDELL] appeals to the House to waive politics, and, whatever we do, to avoid tying anybody's hands. I should like to know what light the gentleman has seen so suddenly. I have before me the Record of the long session of the last Congress, showing the pendency of a rule exactly similar to this one in all important respects; a demand for the previous question and the vote of the gentleman from Wyoming in favor of the previous question; secondly, in favor of the rule, and, thirdly, in favor of the bill itself.

Mr. DALZELL. And, if my colleague will allow me to interrupt him at this point, fourthly, in favor of a rule which took the bill out of the Committee on Territories and sent it

to conference disagreeing in the Senate amendments—votes on four different occasions.

Mr. GROSVENOR. Gaggling the House of Representatives and tying up the hands of the House of Representatives! Why, Mr. Speaker, the event figured in by St. Paul on his way down to Damascus was not a circumstance compared with the glorious blaze of light that has suddenly attacked the gentleman from Wyoming; and without any apology, without any explanation, he comes here and undertakes to drive his views through this House by an appeal against a rule of this arbitrary character.

Mr. MONDELL. If the gentleman will permit me, the world has benefited a great deal by the light which appeared to Paul.

Mr. GROSVENOR. Well, the world has not been benefited by the light that the gentleman from Wyoming has shed on this question. [Laughter.] He parted company with his great predecessor at that particular point in the place where the ways parted. [Laughter.]

Now, Mr. Speaker, this is a party measure, and if we shall have a debate upon this bill ultimately I will show from the records that from the day when Vermont was admitted into the fellowship and partnership of the thirteen original States down to the present time no State ever came into this Union that was not the offspring and outgrowth of party investigation and party consideration. The State that I live in, the State that I love, the State that I, in part, represent on this floor, never submitted a vote on her constitution. Her people never asked to come into this Union; and for a partisan, political purpose, which I will lay plainly before this House if I have the opportunity, Ohio was created a State, dragged into the Union, and her electoral vote was cast for Thomas Jefferson and aided his election. [Applause on the Democratic side.]

Now, Mr. Speaker, how stands the Republican majority on this floor and how stands the Republican party of this country upon this question? The President of the United States, a fairly good Republican, in my estimation, recommends the passage of this bill; and how is he met? Why, the cry comes, "He is undertaking to force his views upon the House of Representatives; he is dictating," they say, "to the House of Representatives." Let us see. The House of Representatives, taking the initiative in the Fifty-eighth Congress, without a single suggestion from the President, by the action of a majority of its caucus and by the action of substantially the whole body on this floor, not only indorsed this rule but passed it and sent it over to the Senate, and what the President has done was just exactly what a good Republican might do, just the sort of an act a Republican always does; he came and followed the leadership of the Republican party and recommended that they again do what they had already done. So this House is the leader and the President is the efficient and valued follower.

That this is a party question can be easily recognized within the next hour and a half. Here is a question that the gentleman from Wyoming [Mr. MONDELL] says ought to be passed upon by the deliberate judgment of every man. Well, I am one of the sort of Republicans who believe that the Republican party as a whole knows more than I know as an individual. That is one of the concessions that I make against my own greatness. [Laughter.] And the Republican party is actuated on this occasion to careful consideration of a fact. Every Democrat on this floor, without exception, will vote against this rule and against this bill; and you might as well try to get me to disregard the suggestion of "thin ice" on a skating pond or the red light of danger on the railroad track as to vote in favor of a proposition for which the solid Democracy of this House votes. [Applause on the Republican side.]

Mr. MONDELL. Will the gentleman yield for a question?

Mr. GROSVENOR. Well, if it is not too long.

The SPEAKER. One moment. The gentleman from Wyoming will suspend. The Chair has difficulty in hearing what is taking place upon the floor, and it arises principally from conversation amongst the Members. The galleries seem to be observing the injunction of the Chair not to converse. It is up to the membership to say whether the membership desire to hear what is being said. Does the gentleman from Ohio yield to the gentleman from Wyoming?

Mr. GROSVENOR. I do; for a question.

Mr. MONDELL. I simply wish to ask the gentleman if he did not vote with practically the solid Democratic side last week on a very important question?

Mr. GROSVENOR. I did not. Practically the solid Democratic side voted with me. [Great laughter.]

Mr. MONDELL. Following the gentleman's illustrious example, we have their promise that they will follow us to-day. [Laughter.]

Mr. GROSVENOR. And with "us" are the people of Eng-

land who were represented by the "three tailors of Tooley street." Now, the difference between the condition the gentleman suggests and his condition is this: In the case of the Philippine tariff bill the Republican majority of this House had a bill reported by one of its great committees and made a public measure, not only by the action of the House itself, but by the recommendation of the President of the United States in his message, and giving an opportunity to the Democratic party to come in here and vote if they wanted to. Now, we offer the same opportunity to the Democratic party, and not one of them will vote with us, and unfortunately a few of our Republican friends will be found out on the mountain top, where the lost sheep which has been the subject of a beautiful hymn was found. [Laughter.]

Mr. WILLIAMS. Will the gentleman allow an interruption?
Mr. GROSVENOR. Certainly.

Mr. WILLIAMS. The bill which was passed the other day, the Philippine tariff bill, which the gentleman says was a Republican measure, was passed through this House by Democratic votes, was it not, and would have failed but for the Democratic vote? [Applause on the Democratic side.]

Mr. GROSVENOR. Yes; it would have failed by 7 votes. It would not have passed without Democratic votes, as I suggested at the time. I only regretted that any Democrat voted for it simply from a partisan standpoint, but from a personal good feeling toward the Democratic party I was glad to see some of them stray over into the reservation. I gladly make this correction to my remarks. [Laughter.]

Mr. WILLIAMS. Does not the fact still remain, shown by the record of the roll call, that without the Democratic votes the bill would have failed?

Mr. GROSVENOR. I am told that that is so. I don't care whether it is or not. I stand here to say frankly to the House that this is a party measure, and I am frank to say another thing. You let this rule be defeated to-day, gentlemen—it is a small matter, a very small matter apparently—and the control of this House passes absolutely into the hands of the Democracy on the other side of this Chamber. Can you afford to do that because somebody's gold mine or somebody's coal bank or somebody's railroad is interested in suppressing the taxgatherer in these Territories out there?

Mr. FINLEY rose.

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from South Carolina?

Mr. GROSVENOR. I do.

Mr. FINLEY. Mr. Speaker, I wish to ask the gentleman from Ohio if in the Fifty-seventh Congress he did not vote to admit the Territories of Arizona and New Mexico as States separately?

Mr. GROSVENOR. I think I did. [Applause on the Democratic side.] I think I did, but at that time my party had not made this decree. Now it has, and I am a Republican, and I do not propose to shift the leadership of this House to the handful of Democrats on the other side. [Applause on the Republican side.] And since that time the Republican party has distinctly acted in favor of this measure, and since that time I placed myself upon record—and the gentleman heard me a few days ago. I am not consistent with my record of that time, and if there is anything I am proud of, it is that I am never consistent two years at a time amid changing events such as we have. [Applause and laughter.] It is enough for me to know, and it ought to be enough for any Republican to know, that the responsibility of the passage of this bill, if it shall pass, does not rest upon me or him. He will not be selected as an individual to be assaulted and assailed, but the responsibility will rest upon the great party of this country, headed by the great President of the United States, that, after a full consideration, has decided that this is the proper thing to do. Therefore, Mr. Speaker, I hope that this rule may be adopted. Ample debate is provided for in the rule, ample opportunity for every man to set himself straight before the country, and the alternative is the defeat of the Republican party and chaos on the floor of this House. [Applause on the Republican side.]

Mr. WILLIAMS. Mr. Speaker, I protest against the cunning effort upon the part of the gentleman from Ohio [Mr. GROSVENOR] to turn this into a partisan question. [Applause on the Democratic side.] It is an effort to make a mere question of partisanship out of the question of the permanent welfare of the population of two great Territories proposed to be made States. The gentleman says that there is an attempt "to shift the control of the House to the Democratic side." The statement is absolutely incorrect. The only thing we are trying to do is to shift the control and framing and molding of this bill to the House of Representatives [applause on the Democratic side]; to shift it out of the hands of the Committee on Rules into the hands of the House of Representatives, almost a two-thirds majority of which is Republican. Ah, Mr. Speaker, do not let

the gentleman say that he is afraid of Democratic control. What he is afraid of is that the House may control itself. [Applause on the Democratic side.]

Now, Mr. Speaker, I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I have asked for a moment in which to reply to the suggestion of the gentleman from Ohio that I have been inconsistent in my attitude relating to the admission of these two Territories into the Union. It is scarcely necessary for me to discuss that matter now that the gentleman, after having accused me of inconsistency, makes a virtue of inconsistency himself. [Applause.] There is no opportunity at this time to lay before the House the reasons that actuated gentlemen in their action last winter on a measure similar to this. I did not approve it then any more than I approve it now; and I thank heaven that the opportunity has been given, as I hoped then it would be given, to place myself right on this question.

Mr. GROSVENOR. The gentleman interrupted me with a question, and I would ask him now if he will allow me to interrupt him with a question?

Mr. MONDELL. Certainly.

Mr. GROSVENOR. Does not the gentleman think he ought to be very thankful that he has discovered one virtue and has embraced it? [Laughter.]

Mr. MONDELL. I did not catch the gentleman's inquiry, Mr. Speaker, and not having heard the gentleman's question I am unable to answer it.

Mr. GROSVENOR. Oh, my question was, if the gentleman does not think he ought to be very thankful that he has been able during two years to find one virtue and to embrace that virtue? [Renewed laughter.]

Mr. MONDELL. I have discovered many virtues in the gentleman from Ohio [Mr. GROSVENOR], Mr. Speaker, and I regret his lack of virtue at this time in not being on the right side of this question. [Applause on the Democratic side.]

Mr. WILLIAMS. Mr. Speaker, I yield six minutes to the gentleman from Wisconsin [Mr. ADAMS].

Mr. ADAMS of Wisconsin. Mr. Speaker, I am one of those "misguided" individuals who have been so unfortunate as to meet the disapproval of the gentleman from Ohio [Mr. GROSVENOR] in opposing this rule. I suppose that I am one of the "lost sheep" that he refers to. I am one of the men who voted in the last Congress in favor of a similar rule and in favor of joint statehood for Arizona and New Mexico. I have changed my position. I say to the gentleman from Ohio, who glories in his own inconsistency, although his friends are sometimes ashamed of it [laughter and applause], that I have changed my position simply because I have gone to the Territory of Arizona, have visited twenty of its cities, met thousands of its people, seen the school children and the women and the merchants and the bankers and the ministers, all of them wearing labels, "We are opposed to joint statehood." I voted for it in the last Congress because I believed that the people of that Territory wanted it. I shall vote against this rule in this Congress because I know from personal observation that the people of that Territory do not want it. What do you propose to do? You bring in a rule here binding together with rivets of steel two propositions, and entirely distinct, in this House, one joining Oklahoma and the Indian Territory in a single State—everybody for it in the Territories and in the Congress of the United States—and then you tie to that another proposition joining New Mexico and Arizona in a single State, in defiance of the sentiment of the people of Arizona, in defiance of the sentiment of the gentlemen on the other side of the Chamber, and in defiance of the real sentiment of three-fourths of the Republicans on this side of the Chamber. [Applause.] You talk to us about politics. The gentleman says that we want to waive the question of politics. Not for one solitary moment do we want to waive the question of politics. We oppose this rule because it is an un-Republican measure. What do you do? Put two propositions together—one good, the other bad—like the old riders that you used to put on the appropriation bills until public sentiment stopped it. You put these two together, compelling the men who want to vote for the good measure to vote for the bad and try to pound it through this House under the party lash. Is that Republicanism? The Republican party is strong. Never was there such a majority as was cast for Theodore Roosevelt; not for many years such a majority has been here as in this Chamber to-day, but the Republican party has not been strong enough, it is not now strong enough, and it never will be strong enough to violate the principles of republican government. [Applause.] Why, do you know what caused the birth of the Republican party? It was born because an effort was made to force

upon the Territories, in defiance of the sentiment of their people, the obnoxious institution of slavery. From that day to this the Republican party has stood for representative government, and you come in here with this rule in a Republican House and in the name of Republicanism propose to do, what? Take the people of Arizona, a hundred and fifty thousand, with their tens of millions of dollars of property, protesting through the press, from the pulpits, from the Catholic Church, from the Presbyterian Church, from every church, from every school-house, from every business house, against this outrage. You will not permit the Members of this House to separate these propositions and put them squarely upon their own feet. Do you know what is being done? Every one of you know that the men who love the Speaker of this House as a brother, that the men who love and honor the President of the United States because he is honest and true, are being brought in here to vote for this rule against their convictions because of their love for the two men whom I have named. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WILLIAMS. Mr. Speaker, I hope the gentleman from Pennsylvania will now yield some of his time.

Mr. GROSVENOR. Mr. Speaker, I wish to ask the gentleman from Mississippi to give me an opportunity to ask unanimous consent that I may have one minute.

Mr. DALZELL. Mr. Speaker, I yield one minute to the gentleman, or as much time as the gentleman may desire.

Mr. GROSVENOR. Mr. Speaker, the gentleman from South Carolina, during the progress of my remarks, asked me if I did not vote for a bill of a similar character in the Fifty-seventh Congress. There are some things I can not always carry at my tongue's end, and I admitted that I might have done so. I always take it for granted, when a gentleman puts a question of that kind to me and appears to be looking down at a book in front of him, that he has the record and means to charge that I did so vote. [Laughter.] Now, I do not want to be interrupted, but I want to say to the gentleman I not only did not vote for the bill, but I voted against the bill and made a speech against the bill. [Laughter and applause.]

Mr. WILLIAMS. Will the gentleman from Pennsylvania yield to somebody on his side?

Mr. DALZELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PAYNE].

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. PAYNE. Mr. Speaker, the gentleman from Mississippi protests against the attempt, as he says, to make this a partisan measure. Mr. Speaker, the Republican party generally decides what they think is a partisan measure. We had this proposition before a Republican conference in the last Congress, and by a large majority of votes we decided upon the same course that we are pursuing to-day, and when we brought the rule into the House we had substantially the whole Republican majority voting in favor of that rule and in favor of the same action we are proposing to-day. Since then there has been an election. Gentlemen upon this side of the House, gentlemen who voted for that rule and that measure two years ago and who are to-day pursuing a different course, went before their constituents, and if there was any opposition among the constituents of any gentleman on this side of the Chamber to the course we pursued it was then the time to show it in the election which we had; but, Mr. Speaker, we come back here to-day with a Republican majority in this House larger than we ever had before, and that after taking just this action. Then we had a conference in this Congress, and a large majority vote decided again in favor of this action. If anything ever is a partisan question here, it would seem to me that after the action of two conferences on this side of the House we had come pretty near to making this a partisan question.

Why, Mr. Speaker, only a few weeks ago we had the spectacle of the gentleman from Florida [Mr. LAMAR] and the gentleman from Missouri [Mr. SHACKLEFORD] complaining of the action of the gentleman from Mississippi [Mr. WILLIAMS] in taking them off of the Committee on Interstate and Foreign Commerce. And what was his excuse? Why, that the bill which he advocated was a party measure, and adopted by the party conference, and he was disciplining these gentlemen because they had seen fit to go a little beyond what the conference had said and vote an amendment foreign to the bill, that was not covered precisely by the terms of the resolution in the party conference. He is the last man in the world to advise this side of the House as to what is a partisan measure. [Applause on the Republican side.]

Gentlemen plead for justice for the people of Arizona. I believe in the greatest good to the greatest number. There are 100,000 people in Arizona, but there are 80,000,000 people in the

balance of the United States. I plead for the rights of the 80,000,000 people; I plead for the rights of the 8,000,000 people in the State of New York, represented in the Senate of the United States by two Senators, and I am unwilling that the people of Arizona, with her 100,000 people, shall have an equal representation in the United States Senate. There is the great and glorious State of Washington, with a million of population. Shall we wait until they get a million and a half and have some future Congress give us two States of New Mexico and Arizona?

Mr. WILLIAMS. I would like to ask the gentleman a question, if he will yield.

Mr. PAYNE. Certainly.

Mr. WILLIAMS. In case we voted down the previous question, could not this House, if it so desired, keep Arizona out of the Union?

Mr. PAYNE. Certainly it could, and I trust it will so long as there is a majority on this side of the House. But the other day the gentleman was triumphantly prophesying that the majority would change to the other side in the next Congress. It may come some day. The providence of God may again inflict the Democratic party upon the United States. [Laughter and applause on the Republican side.] But when the time comes, one of the worst inflictions that can come to the United States is the admission of New Mexico and Arizona to suffrage and statehood, with four Democratic Senators.

Mr. WILLIAMS. Mr. Speaker, I now yield five minutes to the gentleman from Minnesota [Mr. BEDE]. [Applause.]

Mr. BEDE. Mr. Speaker, I say first in reply to the gentleman from New York [Mr. PAYNE] that if the Democratic party gets into power again it will not be because of the providence of God, but because of the mistakes of the leaders of the Republican party in this House. [Loud applause on the Democratic side.] I arise to oppose this resolution, because it proposes political miscegenation by the Territories of New Mexico and Arizona. I oppose it because it is not a reasonable thing, and the people of the United States and the Republicans of this House stand for the reasonable thing. Let us vote separately upon these two questions—questions that are not germane to each other. If you had a bill in here for the admission of Oklahoma, the leaders would not let a Member on the other side introduce an amendment to let in Arizona or New Mexico. Then why not divide them now, and let us vote intelligently on measures that should be separated. [Applause.] The gentleman speaks of the Senators from New York. Most people are trying to forget them. [Great and long-continued laughter.]

The SPEAKER. The gentleman will suspend. The gentleman from Minnesota does know, or ought to know, that his remark is against the rule of the House and is against all parliamentary usage. [Applause on the Republican side.]

Mr. GAINES of Tennessee. Republican Senators referred to and criticised Mr. HEARST over in the Senate yesterday; why can not the House permit the gentleman to refer to the Senators from New York here?

The SPEAKER. Does the gentleman from Minnesota [Mr. BEDE] yield to the gentleman from Tennessee [Mr. GAINES]?

Mr. GAINES of Tennessee. No; he did not.

Mr. BEDE. I only intended my reference in the kindest manner. [Laughter.] But the treatment of the East toward that part of the United States west of the Mississippi is a mistaken one. They speak of us as the "woolly West." They have gotten so that they are like the girl from Kentucky that I heard of the other day, whose father was an old unreconstructed Confederate, who said she was 21 years old before she knew that "damned Yankee" was not one word. [Great laughter and applause.]

When they want to whip us into line and get something done here, they call up the great name of Theodore Roosevelt, but when they want to defeat something that he wishes to bring about, they call him (not Members of this House, but the great interests of the East) the "bronco statesman." [Laughter.] They heap contumely on him merely because he once lived in Dakota. I say to you that the territory west of the Mississippi is two and one-half times greater than the territory east of the Mississippi. When you admit Oklahoma, Arizona, and New Mexico, there will be twenty-two States, with forty-four Senators, west of the Mississippi. East of the Mississippi we shall have twenty-six States, with fifty-two Senators. The territory east of the Mississippi must forever have a density of population three times as great as that west of that river in order not to exceed it in representation. Oh, they say that they fear Senators from the West. I do not. But they say, "You haven't folks enough out there." When did a Senator ever represent folks? [Great laughter and applause.] If that is the policy, why did you not begin twenty years ago? Why did you divide the Dakotas and give them four Senators? Why did you not

make Montana and Idaho come in as one State? Why did you bring in these other States if your policy is now to unite Territories, as you are proposing to do with Arizona and New Mexico—Territories that were once together, but were divided because we could give better government to them separately than together.

The SPEAKER. The time of the gentleman has expired.

Mr. BEDE. I would like to have one or two minutes more.

Mr. WILLIAMS. I yield to the gentleman two minutes more.

Mr. BEDE. That will do. [Laughter.]

Why, we used to hear it said that New England was not fit to live in [laughter]; yet we have made that a great country. Even Governor Bradford, in his notes on the early settlement of that country, intimates that the Pilgrim Fathers themselves would not have landed in New England if they had not been seasick. [Great laughter.]

We have made a great country of New England, and we love every State of it; I would not strike down one of her Representatives in this House or the other; but we love the West too. We have heard it said that Minnesota, the two Dakotas, Nebraska, and Kansas were the Great American Desert; but that idea has been wiped out and they are now garden spots. As a boy I heard it asserted that you could never run a railroad through Minnesota with the thermometer 30° below zero, because the water would freeze in the boiler and the locomotive would go dead. [Laughter.] We have now a great State there and other great States have been made in the West, and I believe in a fair representation for this great country west of the Mississippi River.

But this bill proposes to unite these two Territories which are greater in area than Massachusetts, New York, Pennsylvania, Ohio, Indiana, and Illinois all combined. Take all this territory from Plymouth Rock to the Mississippi River and you still have a territory smaller than that which you now propose to make into one State by combining the two Territories of Arizona and New Mexico. [Loud applause.]

Mr. WILLIAMS. Mr. Speaker, I hope the gentleman from Pennsylvania will consume some of his time.

The SPEAKER. There are seventeen minutes on each side remaining.

Mr. DALZELL. Mr. Speaker, I have not occupied more than sixteen or eighteen minutes.

The SPEAKER. The Chair will see in a moment. [After a pause.] The gentleman from Mississippi, the Chair finds, has seventeen minutes remaining and the gentleman from Pennsylvania has twenty-seven minutes remaining.

Mr. WILLIAMS. I ask the gentleman from Pennsylvania to consume some of his time.

Mr. DALZELL. I yield five minutes to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, no Member of this House believes more sincerely than I do that Arizona and New Mexico ought not to be admitted into the Union either jointly or severally. Neither of them possesses the natural conditions that give assurance of its ability to maintain a permanent population of sufficient size to entitle it to be a State forever.

But, Mr. Speaker, our Government is a government by party and party responsibility, not a government by individuals or individual responsibility. Our Government as such has no policies. Its policies are the policies of the party in control of the Government. These policies are formulated and declared by national conventions or by the representatives of the party in control in the legislative and executive branches of the Government, and we must either stand or fall with the policies of our party. In this particular instance the representatives of the party now in control of the Government have declared in favor of the policy it is sought to be enforced by this rule, and although I differ individually with that policy and with the judgment of those who have framed it, nevertheless, as a member of the party in control of the Government, I bow to the judgment of the majority of my party associates, and will therefore support this resolution. [Loud applause on the Republican side.]

Mr. DALZELL. I will say to the gentleman from Mississippi [Mr. WILLIAMS] that there will be only one other speech on this side of the House, and therefore I ask him to occupy all of the remainder of his time.

Mr. WILLIAMS. I yield four minutes to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Speaker, I do not believe that any policy of this House has tended so much to impair its influence and power in legislation as the adoption of rules of this character. If we, as a part of the National Legislature, have lost effectiveness, it has been through the policy of gagging ourselves by rules of this kind. I have voted for them, and I will possibly vote for them again in the future, but I consider

the question now before this House, the admission of States into the brotherhood of the Union, as the most transcendent question that can come before this body, and while I am willing to give up my convictions upon matters of detail, upon schedules, matters of purely party policy, or something of that character, I can not give up my convictions upon a proposition of this kind. I love and admire the Speaker of this House more than any other man in this Union. I love and admire the President of the United States as much as any President we have ever had. I would desire more than I can say to carry out their wishes, but I can not sink my conscience even to do that. Nor would either of them ask it. They would think less of me if I did so.

What is the question here? It is not the question of admitting these States now, but it is the question of saying to the people of Arizona and to the people of the United States that their rights and their claims shall not even be presented or considered on the floor of this House. If you adopt this rule, you might just as well vote on this bill without any further debate. This rule allows no amendment. Under it we can not even offer an amendment. Some gentleman suggested a moment ago that if this rule is adopted we can debate until 3 o'clock to-morrow, and every gentleman can set himself right before the country. I do not ask any time to set myself right before the country or my constituents on this proposition. [Applause.] I voted for this proposition two years ago. I admit it, but I did it under protest. I did it at the earnest solicitation, yea, pleading, of the leaders of this House. When I visited Arizona last spring and saw the people there and the splendid civilization that they have built up, I said, "I will not vote again to force these people into an unholy union, even to bring them into the Union of States against their wishes."

Gentlemen, shall we say that we are afraid of ourselves? That is what we say if we vote for this rule. If you can adopt this rule you can not reject any amendment that you are opposed to. You know that there are many on this side of the House who would like to vote for Oklahoma alone, but who don't like to vote against this rule. You are afraid of yourselves. This is a sorry spectacle for the country to gaze upon. They say the President of the United States is in favor of this proposition. The President of the United States has declared in favor of the admission of these States, but he has not declared for this rule. He never would declare for this rule. If he were on the floor of this House every element in his nature would protest against it. If I know him as I think I do, I venture to assert that he would oppose this rule with all the power that he possesses. If he would not, he is not the man that I take him to be, he is not the man that the country believes him to be. If he would not do it, then the words that he has uttered with reference to a "square deal" are as "sounding brass and a tinkling cymbal." [Applause.]

No; the President of the United States believes in independence of thought and independence of action. If there is any one thing that has endeared him to the people of this country, it is his sturdy adherence to what he believes to be fair and right. He believes in doing what is right. He believes in considering the claims of every section and of every class, and he would be the last man to endeavor to force these people into this unholy alliance, at least until they have a chance to be heard. [Applause.]

[Here the hammer fell.]

Mr. WILLIAMS. Mr. Speaker, I yield two minutes to the gentleman from Arizona [Mr. SMITH].

Mr. SMITH of Arizona. Mr. Speaker, it seems somewhat tragic to me that the day of my birth should have been selected as the one day in the year for the sacrifice of the people in whose devoted service I have spent most of my life. When I saw the chairman of the Appropriations Committee [Mr. TAWNEY] take the floor in favor of this rule, I was reminded of another and much more tragic scene:

And Joab said to Amasa, Art thou in health, my brother? And Joab took Amasa by the beard with the right hand to kiss him.

But Amasa took no heed to the sword that was in Joab's hand: so he smote him therewith in the fifth rib, and shed out his bowels to the ground.

[Applause.]

In the guise of friendship he gives us the most savage, the cruelest cut of all. Mr. Speaker, this is not a party question. If it is, it is time for any party, mine or yours, to hand down its scepter to other people. When the rights of a people can be made the shuttlecock of party rule, and when the great good heart of that Republican majority to-day, unhampered by your great power, unhampered by the President of the United States, would beat this bill four to one, yet men like the gentleman from Ohio [Mr. GROSVENOR] and other gentlemen arise and swing the party lash over the weak, but give no reason whatever for this outrageous proceeding except allegiance to party com-

mand. There was no caucus of the Republican party on this question. The pretense of a caucus was a fraud on new Members. Whenever the Republican party or mine can make the rights of men subservient to the mere party lash, then that party deserves to be beaten and will be beaten. [Applause.]

Mr. WILLIAMS. Mr. Speaker, I understood the gentleman from Pennsylvania to say that he intended to have only one more argument on his side.

Mr. DALZELL. Yes.

Mr. WILLIAMS. Mr. Speaker, I now yield three minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, as a member of the Committee on Rules, I could not honestly cast my vote in favor of reporting this rule. As a Member of the House I can not honestly support it. So far as the people who sent me here are concerned, they have interest in it only as the people of the Union in general have interest in it. It would make no difference in my political fortunes were I to vote for this rule or vote against it, were I to support the bill or oppose it.

I am one of those who believe that so far as politics are concerned, the great American people, when their attention is really awakened and when a great question is before them, like the skilled navigator, will take the great circle as the shortest route between two points. American politics, when the people are interested in politics, and they are when great questions are up, are not to find solutions on narrow lines or in bitter prejudices.

In my vision there is that picture which is portrayed by that inimitable artist, Mr. Berryman, in the Washington Post of this morning. Beautiful American Arizona at the window with a hatchet in her hand; the Mexican endeavoring to ascend the ladder and forcibly make her his own. I see Arizona, in her magnificent American citizenship, earnest in protest against this measure and the method of it, and without a solitary vote in this body or in the other. However others may view it, whatever others may do, the people of Arizona, the people of our own blood, the American citizenship of this land, whether in a Territory or in a State, so long as I may raise my voice, so long as I may cast my vote on any proposition, shall at least find one, whatever the fates may decree, who is American and not Mexican. These people differ in traditions, they differ in education, they differ in race, they differ in ambition, they differ in religious faith, they differ largely in everything, and yet you are to weld them together as one in this indissoluble Union of States.

You separated Arizona from New Mexico years and years ago because the people of these two Territories could be governed better in two Territories than in one. Let Arizona speak, let New Mexico speak, and if the people in either protest against it, in the name of God, in the spirit of American patriotism and justice, in the honor of American citizenship, for the sake of American manhood, for the sake of American womanhood, do not perpetrate this outrage. [Applause.]

Mr. WILLIAMS. Mr. Speaker, if I have kept correct count, I have now eight minutes remaining.

The SPEAKER. The gentleman is right; the gentleman has eight minutes.

Mr. WILLIAMS. I now yield three minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, it seems to me that there has been more or less shifting on this question since it was first brought up in the Fifty-seventh Congress. At that time Mr. OVERSTREET, the gentleman from Indiana, introduced an amendment to the bill that was then pending providing for the formation of three States—that these two Territories of Arizona and New Mexico should be united as one State, and that was voted down by 108 yeas to 28 nays.

If the Members of this House could visit Arizona, they would soon realize that the jointure of that Territory with New Mexico would be wholly unjust to the citizens of the former Territory.

Mr. Speaker, during the past summer a number of Members of this House did go to Arizona and among them was my friend from Minnesota [Mr. TAWNEY]. He now urges us to stand by the Republican party. I remember when the gentleman was himself an insurgent in this House upon the Cuban reciprocity bill. I honored him for his stand at that time, and I honor him now for having taken that stand; but this is what the gentleman from Minnesota [Mr. TAWNEY] said while he was in Arizona, when he was among those people, when he saw conditions in Arizona, and when he had an opportunity to personally observe the state of things in that Territory. I read from the San Francisco Examiner of October 16, 1905.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, I would ask the gentleman from Mississippi to yield the gentleman one minute more.

Mr. WILLIAMS. I will yield the gentleman one-half minute.

Mr. KAHN. I read from that paper:

Representative TAWNEY, of Minnesota: "Were the Members of Congress to come here and see, I doubt if four-fifths who have voted for jointure would do so after the visit. I now know the conditions, and my next vote will meet with Arizona's approval."

Mr. DALZELL. Mr. Speaker, I desire to yield one minute to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Speaker, in reply to the gentleman from California, I will again say that what he has read in respect to my statement in Arizona, with the exception of my future vote, is true, and just what I said a moment ago on the merits of the proposition. I am not in favor of admission of either one of these Territories, but that I would ever vote one way or the other, no statement of the kind was ever made by me on the trip through Arizona.

Mr. WILLIAMS. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. BABCOCK].

The SPEAKER. The gentleman from Mississippi yields to the gentleman from Wisconsin [Mr. BABCOCK] four minutes and a half.

Mr. BABCOCK. Mr. Speaker, I have been consistently opposed to the admission of Arizona or New Mexico either as single or joint States ever since the proposition has been before Congress, and I desire to call the attention of the House and of gentlemen who are familiar with the amendment for joint statehood, which has been referred to in this debate, to the fact that the question of joint statehood was brought up in this House, not in good faith, but for the purpose of defeating single statehood, and many gentlemen on the floor know this fact. That was the purpose of the amendment at that time; the idea in bringing it up was to defeat single statehood. Now, if I were called upon to vote on either proposition—and I am opposed to both—before I would cast my vote for what I consider a crime against representative American people, that of coercing them to join two different classes of civilization in one State, I would vote for two single States. And I desire to refer, Mr. Speaker, to the political aspect of this proposition which has been referred to by our distinguished leader on the floor of the House. The argument has been made on this side of the House that if this were not done at this time, later we would have two States—Arizona and New Mexico—and four Democratic Senators. Now, I desire to call attention to a little history. I want the Members of this House to stop and think about that question. When the Dingley bill passed this House it went to the Senate and before the Finance Committee of that body. At that time, as we all know, the Senate was controlled by Democrats and Populists, or free-silver Republicans. The Finance Committee was composed of six Republicans, six Democrats, and Senator Jones of Nevada. That bill could not be moved or taken out of that committee without the vote of Senator Jones, and every amendment that he offered or proposed was accepted by that committee. What are the interests of New Mexico and Arizona? First, wool; second, mines, mining, and minerals, and third, fruits—all protected to the very highest extent under the Dingley tariff bill; and a distinguished Member of Congress from California said on one occasion that the Dingley tariff schedules fitted the West and the Pacific coast as a knit shirt does the human body; it touches every part. Now, how can Arizona or New Mexico ever be Democratic under any present conditions? A Democratic policy would take the bread and butter out of their mouths; it would destroy the protection on their mines, their minerals, their wool, and their fruit, and yet we are presented with the argument here that these States will be Democratic if they are admitted.

Mr. Speaker, I shall not further take up the time of the House, but I do want the Members on this floor to consider that proposition. Why, you might just as well go to Vermont and ask for Democratic Senators as to go to New Mexico and Arizona for them, if they should in the future have statehood.

Mr. CHARLES B. LANDIS. Mr. Speaker, I would like to ask the gentleman from Wisconsin to state the politics of the present Delegate from Arizona.

Mr. BABCOCK. I understand the present Delegate is a Democrat.

Mr. CHARLES B. LANDIS. How does it happen, if Arizona is as strongly Republican as Vermont, that the present Delegate is a Democrat?

Mr. SMITH of Arizona. I would like to answer that in the time of the gentleman from Wisconsin.

Mr. BABCOCK. If the gentleman from Indiana [Mr. CHARLES B. LANDIS] will go to Arizona he will find that the present

Delegate is a man who has spent his life among those people, and as he goes from town to town everybody says, "Why, here is MARK—MARK SMITH." The gentleman's own personality brought him here, coupled with his position on this statehood matter. That is what elected him to Congress.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. GROSVENOR. Then why was he beaten two years ago?

Mr. CHARLES B. LANDIS. Yes; why was he beaten two years ago?

Mr. WILLIAMS. Mr. Speaker, I understand the time on this side is exhausted.

The SPEAKER. It is exhausted, and the gentleman from Pennsylvania has twenty-three minutes.

Mr. DALZELL. Mr. Speaker, for over fifty years the Territory of New Mexico has been knocking at the doors of Congress for admission into this Union, and when I say New Mexico, I mean both Arizona and New Mexico, because they were originally one, and they ought yet to be one. Fifty-three or fifty-four bills for the admission of New Mexico have been introduced into this House. Seventeen times one or the other branch of Congress has passed laws admitting New Mexico as a State into the Union.

Now, under those circumstances, the time has finally come when the two great parties of this country, the Democratic and the Republican parties, have decreed that these Territories should be admitted into the Union on some terms or other; and each of those parties has adopted a policy with respect to the manner in which they should be admitted. The Democratic party, in its platform at the last national convention, said:

We favor the admission of the Territories of Oklahoma and Indian Territory. We also favor the immediate admission of Arizona and New Mexico as separate States.

Now, here is one thing upon which the two parties are agreed, and that is that the Territories shall be admitted, but they exercise a different judgment as to the manner in which they shall be admitted. The Democratic party says they shall be admitted as separate States with four Senators. The Republican party says they shall be admitted as the Territories originally stood, as one one State with two Senators. Why the gentleman from Wisconsin [Mr. ADAMS] says he is pleading for representative government. He is pleading against representative government and against the theory of our Government as it was originally determined. Let me call your attention to some significant figures. There are fourteen States in this Union to-day that have twenty-eight Senators and only twenty-eight Representatives. There are six States in this Union to-day that have twelve Senators and only six Representatives. There are five States in this Union to-day that have ten Senators and ten Representatives, and if you admit Arizona and New Mexico as a single State you will have sixteen States with thirty-two Senators and thirty-two Representatives. I ask my friend if that is the representative government that was intended by the men who made the Constitution? There are east of the west line of Kansas 80,000,000 of people. There are west of the west line of Kansas 5,000,000 of people. I stand here to-day for the 80,000,000 as against the 5,000,000. [Applause.] My State has thirty-two Representatives in this body and their vote amounts to nothing in the Senate as against the votes of two Senators from Nevada that has not as much population—men, women, and children—as there are voters in my representative district.

Mr. ADAMS of Wisconsin. Mr. Speaker—

The SPEAKER. Does the gentleman yield?

Mr. DALZELL. Certainly.

Mr. ADAMS of Wisconsin. I would like to ask the gentleman from Pennsylvania if he intends to hold upon this floor that Representatives of Western States are antagonistic in their purposes, in their desires, and in their work to eastern interests or any other?

Mr. DALZELL. I am not arguing that question. I am arguing that there is an undue number of Senators in the United States as compared with the Members of Congress at this end of the Capitol representing population, and that the whole system of Government as devised by the fathers has been overturned by the introduction of these Senators from these small States. Mr. Speaker, I am arguing that Senators ought to represent population, and not rocks and sand. [Applause.]

Mr. JONES of Washington. Will the gentleman yield?

Mr. DALZELL. Oh, yes.

Mr. JONES of Washington. There have been a great many people from Pennsylvania who have gone westward. Does the gentleman contend there are no more going in the future?

Mr. DALZELL. Oh, I do not know what that has to do with this matter. Possibly the gentleman does.

Mr. JONES of Washington. Well, this is legislation for all time.

Mr. DALZELL. When those Territories are filled up with a sufficient population to be admitted as independent States in this Union the Congress that then exists will deal justly and fairly, I have no doubt, with the question. Now, Mr. Speaker, it is denied that this is a political proposition. Why, if this is not a political proposition then it is impossible to make any proposition political. In the Fifty-eighth Congress the Democratic party of this House met in caucus and passed a resolution against this proposition that we are now arguing for, and made it, so far as the Democratic party is concerned, a political proposition. Upon the other hand, in that same Congress—the Fifty-eighth Congress—the Republicans of this House, many of them Members of this present Congress, met in caucus or conference—I care not whether you call it caucus or conference, it amounts to the same thing. This is a Government by parties, and the only way for a party to govern is by an organization whereby the will of the majority may impress itself upon the minority—

Mr. MARSHALL. Mr. Speaker, may I ask the gentleman a question?

Mr. DALZELL. Certainly.

Mr. MARSHALL. Was it not distinctly understood, before a single step was taken in this conference, that the Members were not to be bound by it?

Mr. DALZELL. Mr. Speaker, every solitary Republican Member, with two exceptions, who attended the conference to which I am referring in the Fifty-eighth Congress voted the Republican proposition in the House, and the gentleman who now interrupts me attended that conference and subsequently voted for this present proposition in the House.

Now, I say that the Democratic party, by a caucus, made this a party measure. I say that the Republican party, by a caucus, made it a party measure. But I do not stop there. On the 19th day of April, 1904, a rule was introduced into this House almost identical in terms with the rule that is now pending, and every solitary Republican Member of the Fifty-eighth Congress, with two exceptions, voted for that rule. The gentleman from Wisconsin [Mr. BABCOCK], who has recently taken his seat and who expressed himself with such bitterness against this measure, voted for that rule. Every Republican Member of this Congress that was a Member of the Fifty-eighth Congress, as I say, with two exceptions, voted for that rule. But that is not all. Every single Republican Member, with one exception, when the time came, voted for the passage of the bill. That is not all. That bill went over to the Senate. The Senate added a number of amendments, but the most prominent and conspicuous amendment was the one that carried out the views now advocated by the gentlemen on the other side of the House. A rule was brought into this House that took from the Committee on Territories the bill with the Senate amendments and sent that bill to a conference with a disagreement to all of those amendments, and every solitary Republican Member of this House voted for that rule.

Mr. JONES of Washington. Does not the gentleman know that that bill went to the Committee on Territories, and they absolutely refused to bring it into this House until those who were opposed to it would agree to allow it to go to conference, and when it went to conference would not allow it to come out?

Mr. DALZELL. I know nothing of the kind.

Mr. JONES of Washington. I do.

Mr. DALZELL. I know that the gentleman voted for the rule.

Mr. JONES of Washington. I know, and I know the reason why.

Mr. DALZELL. How the gentleman's conscience may have been influenced is a question with him and not with me.

Now, in addition to that, there was a Republican conference at the present session of Congress. That conference was well attended. The gentlemen who are opposing this bill here to-day attended that conference.

Mr. MONDELL. Mr. Speaker, will the gentleman yield for a question?

Mr. DALZELL. Oh, certainly.

Mr. MONDELL. I do not know that it is proper here to refer to what has occurred in conferences, or what may occur in the conferences, but inasmuch as the gentleman insists upon referring to it, if it would be proper for me to do so, I would like to inquire of him how many moments of that entire conference were given to the gentlemen opposing this bill?

Mr. DALZELL. Well, Mr. Speaker, I do not see the relevancy of the question. Any gentleman who would allow himself

to be controlled upon a question of this kind by a matter of personal pique, either with respect to the time that he served in a conference or for any other personal reason, is unworthy, in my judgment, to sit in the House of Representatives. Now, I do not propose to be interrupted any more.

Mr. MONDELL. I wish to inquire of the gentleman if he has reference to myself in what he has just said?

Mr. DALZELL. The gentleman is perfectly capable of understanding what I have said, and if he does not now, he can think about it.

Now, Mr. Speaker, I say that this has been made a party measure by a Democratic caucus, by a Republican caucus, by three votes of Republicans on the floor of this House, and by a conference only recently held. It has been made a party measure by the President of the United States, who adopted in his last message the action of the Republican party in this House. And I say further that it is perfectly manifest from what has taken place here to-day that it is a party measure. Why, every gentleman on this side of the House who has arisen to speak against the rule has risen by the courtesy of the leader of the Democratic party. And every Republican on this side of the House who votes against this rule votes shoulder to shoulder with the Democratic party.

Mr. WILLIAMS. Mr. Speaker, I would like to ask the gentleman a question, if he will yield.

Mr. DALZELL. Certainly.

Mr. WILLIAMS. If I had not yielded time to those gentlemen, would the gentleman from Pennsylvania have yielded it?

Mr. DALZELL. Not at all; not a minute. [Laughter.]

Mr. WILLIAMS. Then the gentleman is not going to blame me for permitting the representatives of the people to have opportunity to address the House? [Applause on the Democratic side.]

Mr. DALZELL. I am not blaming the gentleman at all. I am admiring his cunning. I am admiring his ingenuity as a party leader in surrendering his time, not to the Democrats, all of whom are lined up, but to Republicans whom he hopes to have follow his leadership.

Now, Mr. Speaker, I am not the keeper of any man's conscience, but it does seem to me that in a Government such as ours, where the government is purely a government by party, it is the duty of every member of a party upon a party measure to stand by his party; and I leave the subject just here. [Loud applause on the Republican side.]

The SPEAKER. The question is on ordering the previous question.

Mr. DALZELL. Mr. Speaker, I ask for the previous question, and on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—ayes 192, nays 165, answered "present" 3, not voting 26, as follows:

YEAS—192.

Acheson	Davis, Minn.	Holliday	Mouser
Adams, Pa.	Dawes	Howell, N. J.	Murdoch
Alexander	Dawson	Hubbard	Nevin
Allen, Me.	Deemer	Huff	Norris
Allen, N. J.	Denby	Hughes	Olcott
Ames	Dickson, Ill.	Hull	Olmsted
Bannon	Dixon, Mont.	Jenkins	Overstreet
Barchfeld	Dovener	Keifer	Palmer
Bartholdt	Draper	Kennedy, Nebr.	Parker
Bates	Dresser	Ketcham	Parsons
Bennet, N. Y.	Driscoll	Kinkaid	Patterson, Pa.
Bennett, Ky.	Dunwell	Klepper	Payne
Bingham	Dwight	Knapp	Pearre
Birdsall	Edwards	Knopf	Perkins
Bishop	Ellis	Lacey	Pollard
Blackburn	Fassett	Lafean	Powers
Boutell	Flack	Landis, Chas. B.	Reynolds
Bowersock	Fletcher	Landis, Frederick	Rhodes
Bradley	Foss	Law	Rives
Brick	Foster, Ind.	Lawrence	Roberts
Brownlow	Foster, Vt.	Le Fevre	Rodenberg
Buckman	Fowler	Lilley, Conn.	Samuel
Burke, Pa.	Fuller	Lilley, Pa.	Schneebell
Burke, S. Dak.	Gaines, W. Va.	Littauer	Scott
Burleigh	Gardner, Mass.	Littlefield	Scroggy
Burton, Ohio	Gardner, Mich.	Longworth	Shartel
Butler, Pa.	Gardner, N. J.	Lorimer	Sherman
Calder	Gilbert, Ind.	Loudenslager	Sibley
Campbell, Kans.	Gillett, Mass.	Lovering	Smith, Ill.
Campbell, Ohio	Graft	McCall	Smith, Iowa.
Capron	Greene	McCarthy	Smith, Samuel W.
Cassell	Grosvenor	McCleary, Minn.	Smith, Wm. Alden
Chaney	Hale	McGavin	Smith, Pa.
Chapman	Hamilton	McKinley, Ill.	Smyser
Cocks	Haskins	McKinney	Snapp
Cole	Haugen	Madden	Southard
Conner	Hedge	Mahon	Southwick
Cooper, Pa.	Henry, Conn.	Mann	Sperry
Cooper, Wis.	Hepburn	Martin	Stafford
Cousins	Higgins	Michalek	Sterling
Currier	Hill, Conn.	Miller	Stevens, Minn.
Dale	Hinshaw	Moon, Pa.	Sulloway
Dalzell	Hoar	Morrell	Tawney

Taylor, Ohio
Tirrell
Townsend
Tyndall
Van Winkle

Volstead
Vreeland
Wadsworth
Waldo
Wanger

Watson
Webber
Weeks
Weems
Weiborn

Wiley, N. J.
Wilson
Wood, N. J.
Woodyard
The Speaker

NAYS—165.

Adams, Wis.
Adamson
Aiken
Babcock
Bankhead
Bartlett
Beall, Tex.
Bede
Beidler
Bonyng
Bowers
Bowle
Brantley
Brooks, Tex.
Brooks, Colo.
Brown
Brundidge
Burgess
Burleson
Burnett
Butler, Tenn.
Calderhead
Candler
Clark, Fla.
Clark, Mo.
Clayton
Cushman
Darragh
Davis, La.
Davidson
Davis, W. Va.
De Armond
Dixon, Ind.
Ellerbe
Esch
Field
Finley
Fitzgerald
Flood
Floyd
French
Fulkerson

Gaines, Tenn.
Garber
Garner
Garrett
Gilbert, Ky.
Gill
Gillespie
Gillett, Cal.
Glass
Goebel
Goldfogle
Goulden
Granger
Gregg
Griggs
Gronna
Gudger
Hardwick
Hay
Hayes
Healin
Henry, Tex.
Hermann
Hopkins
Houston
Howard
Howell, Utah
Humphrey, Wash.
Humphreys, Miss.
Hunt
James
Johnson
Jones, Va.
Jones, Wash.
Kahn
Kellher
Kennedy, Ohio
Kitchin, Claude
Kitchin, Wm. W.
Kline
Knowland
Lamar

Lamb
Lee
Legare
Lester
Lever
Lewis
Lindsay
Livingston
Lloyd
Loud
McCreary, Pa.
McKinlay, Cal.
McLachlan
McLain
McMorran
McNary
Macon
Marshall
Maynard
Meyer
Minor
Mondell
Moon, Tenn.
Moore
Mudd
Murphy
Needham
Otjen
Padgett
Page
Patterson, N. C.
Pou
Pujo
Ramey
Randell, Tex.
Ransdell, La.
Reeder
Reid
Rhinoek
Richardson, Ala.
Richardson, Ky.
Rixey

Robertson, La.
Robinson, Ark.
Rucker
Ruppert
Russell
Ryan
Shackelford
Sheppard
Sherley
Sims
Slayden
Slomp
Small
Smith, Cal.
Smith, Ky.
Smith, Md.
Smith, Tex.
Sparkman
Spight
Stanley
Steenerson
Stephens, Tex.
Sullivan, Mass.
Swanson
Talbot
Taylor, Ala.
Thomas, N. C.
Thomas, Ohio
Towne
Trimble
Underwood
Wachter
Wallace
Watkins
Webb
Weisse
Wiley, Ala.
Williams
Wood, Mo.

ANSWERED "PRESENT"—3.

Crumpacker

Curtis

Patterson, S. C.

NOT VOTING—26.

Andrus
Bell, Ga.
Broussard
Burton, Del.
Byrd
Castor
Cockran

Cromer
Fordney
Graham
Hearst
Hill, Miss.
Hitt
Hogg

Little
McDermott
Patterson, Tenn.
Prince
Southall
Sullivan, N. Y.
Sulzer

Van Duzer
Wharton
Williamson
Young
Zenor

So the previous question was ordered.

The SPEAKER. The Clerk will call my name.

The name of the Speaker was called, and he voted "yea."

The following pairs were announced:

Until further notice:

Mr. CRUMPACKER with Mr. ZENOR.

Mr. BURTON of Delaware with Mr. BELL of Georgia.

Mr. CURTIS with Mr. LITTLE.

Mr. CROMER with Mr. PATTERSON of South Carolina.

On statehood:

Mr. GRAHAM with Mr. VAN DUZER.

Mr. HITT with Mr. HILL of Mississippi.

Mr. WHARTON with Mr. BYRD.

Mr. ANDRUS with Mr. SULZER.

Mr. CURTIS. Mr. Speaker, I voted; and I find that I am paired with the gentleman from Arkansas [Mr. LITTLE]. I desire to withdraw my vote.

The name of Mr. CURTIS was called, and he voted "present."

Mr. SMITH of Arizona. Mr. Speaker, is it proper in this connection to announce that I have a telegram from the gentleman from Nevada [Mr. VAN DUZER], who reports that his absence was caused by a railroad wreck in which he was somewhat injured? I would like to state that as the reason for his absence.

The SPEAKER. If there be no objection, the statement will go in the RECORD.

The result of the vote was then announced as above recorded. [Loud applause on the Republican side.]

Mr. WILLIAMS. Mr. Speaker, would it now be in order to ask for a recapitulation of the vote?

The SPEAKER. The difference in the vote is 38. It is in the discretion of the Chair to order a recapitulation. Unless there is some reason to question the roll, it is not usual to order it when there is so great a disparity in the vote.

Mr. WILLIAMS. I would like to have it recapitulated, if the Chair will exercise his discretion in that respect.

The SPEAKER. If the gentleman is not satisfied or doubts the result, the roll will be recapitulated.

Mr. WILLIAMS. I do not doubt the result, but there has been such confusion that I doubt the accuracy of some of the votes.

The SPEAKER. Well, on that suggestion the Clerk will recapitulate the vote.

Mr. WILLIAMS. I do not doubt the general result, Mr. Speaker.

The SPEAKER. Well, the gentleman doubts the accuracy. The vote was recapitulated.

The SPEAKER. The previous question, as before announced, has been ordered, and the question is on agreeing to the resolution.

Mr. WILLIAMS. Mr. Speaker, in order to save the time of the House I think we had better have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 188, nays 158, answered "present" 2, not voting 38, as follows:

YEAS—188.

Acheson	Dixon, Mont.	Kinkaid	Powers
Adams, Pa.	Dovener	Klepper	Reynolds
Alexander	Draper	Knapp	Rhodes
Allen, Me.	Dresser	Knopf	Rives
Ames	Driscoll	Lacey	Roberts
Bannon	Dunwell	Lafean	Rodenberg
Barchfield	Dwight	Landis, Frederick	Samuel
Bartholdt	Edwards	Law	Schneebell
Bates	Ellis	Lawrence	Scroggy
Bennet, N. Y.	Fassett	Le Fevre	Shartel
Bennett, Ky.	Flack	Lilley, Conn.	Sherman
Bingham	Fletcher	Lilley, Pa.	Sibley
Birdsall	Foss	Littauer	Smith, Ill.
Bishop	Foster, Ind.	Littlefield	Smith, Iowa
Blackburn	Foster, Vt.	Longworth	Smith, Samuel W.
Boutell	Fowler	Lorimer	Smith, Wm. Alden
Bowersock	Fuller	Loudenslager	Smith, Pa.
Bradley	Gaines, W. Va.	Lovering	Smyser
Brick	Gardner, Mass.	McCall	Snapp
Brownlow	Gardner, Mich.	McCarthy	Southard
Buckman	Gilbert, Ind.	McCleary, Minn.	Southwick
Burke, Pa.	Gillett, Mass.	McGavin	Sperry
Burke, S. Dak.	Graft	McKinley, Ill.	Stafford
Burleigh	Greene	McKinney	Sterling
Burton, Ohio	Grosvenor	Madden	Stevens, Minn.
Butler, Pa.	Hale	Mabon	Sulloway
Caldier	Hamilton	Mann	Tawney
Campbell, Ohio	Haskins	Martin	Taylor, Ohio
Capron	Haugen	Michalek	Tirrell
Cassel	Hedge	Miller	Townsend
Chaney	Henry, Conn.	Moon, Pa.	Tyndall
Chapman	Hepburn	Morrell	Van Winkle
Cocks	Higgins	Mouser	Volstead
Cole	Hill, Conn.	Murdoch	Vreeland
Conner	Hinshaw	Nevin	Wadsworth
Cooper, Pa.	Hoar	Norris	Waldo
Cooper, Wis.	Hogg	Olcott	Wanger
Cousins	Holliday	Olmsted	Watson
Currer	Howell, N. J.	Overstreet	Webber
Dale	Hubbard	Palmer	Weeks
Dalzell	Huff	Parker	Weems
Davis, Minn.	Hughes	Parsons	Welborn
Dawes	Hull	Patterson, Pa.	Wiley, N. J.
Dawson	Jenkins	Payne	Wilson
Deemer	Kelifer	Pearre	Wood, N. J.
Denby	Kennedy, Nebr.	Perkins	Woodyard
Dickson, Ill.	Ketcham	Pollard	The Speaker

NAYS—158.

Adams, Wis.	Fulkerson	Knowland	Rixey
Adamson	Gaines, Tenn.	Lamar	Robertson, La.
Alken	Garber	Lamb	Robinson, Ark.
Babcock	Garner	Lee	Rucker
Bankhead	Garrett	Legare	Ruppert
Bartlett	Gilbert, Ky.	Lester	Russell
Beall, Tex.	Gill	Lever	Ryan
Bede	Gillespie	Lewis	Shackleford
Bonyng	Gillett, Cal.	Lindsay	Sheppard
Bowers	Glass	Livingston	Sherley
Bowie	Goebel	Lloyd	Sims
Brantley	Goldfogle	McCreary, Pa.	Slayden
Brooks, Tex.	Goulden	McKinlay, Cal.	Small
Brooks, Colo.	Granger	McLachlan	Smith, Cal.
Brown	Gregg	McLain	Smith, Ky.
Brundidge	Griggs	McNary	Smith, Md.
Burgess	Gudger	Macon	Smith, Tex.
Burleson	Hardwick	Marshall	Sparkman
Burnett	Hay	Maynard	Spight
Butler, Tenn.	Hayes	Meyer	Stanley
Calderhead	Hefflin	Minor	Steenerson
Candler	Henry, Tex.	Mondell	Stephens, Tex.
Clark, Fla.	Hermann	Moon, Tenn.	Sullivan, Mass.
Clark, Mo.	Hopkins	Moore	Swanson
Clayton	Houston	Mudd	Talbot
Cushman	Howard	Murphy	Taylor, Ala.
Darragh	Howell, Utah	Needham	Thomas, N. C.
Davey, La.	Humphrey, Wash.	Padgett	Towne
Davidson	Humphreys, Miss.	Page	Trimble
Davis, W. Va.	Hunt	Patterson, N. C.	Underwood
De Armond	James	Pou	Wachter
Dixon, Ind.	Johnson	Pujo	Wallace
Ellerbe	Jones, Va.	Rainey	Watkins
Esch	Jones, Wash.	Randell, Tex.	Webb
Field	Kahn	Ransdell, La.	Welsse
Finley	Kelther	Reeder	Wiley, Ala.
Fitzgerald	Kennedy, Ohio	Reid	Williams
Flood	Kitchin, Claude	Rhinoek	Wood, Mo.
Floyd	Kitchin, Wm. W.	Richardson, Ala.	
French	Kline	Richardson, Ky.	

ANSWERED "PRESENT"—2.

Curtis

Otjen

NOT VOTING—38.

Allen, N. J.	Cromer	Little	Sullivan, N. Y.
Andrus	Crumpacker	Loud	Sulzer
Beldler	Fordney	McDermott	Thomas, Ohio
Bell, Ga.	Gardner, N. J.	McMorran	Van Duzer
Broussard	Graham	Patterson, S. C.	Wharton
Burton, Del.	Gronna	Patterson, Tenn.	Williamson
Byrd	Hearst	Prince	Young
Campbell, Kans.	Hill, Miss.	Scott	Zenor
Castor	Hitt	Slomp	
Cockran	Landis, Chas. B.	Southall	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of the Speaker; and he voted in the affirmative.

The Clerk resumed and completed the calling of the roll.

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. SCOTT with Mr. COCKRAN.

Mr. GARDNER of New Jersey with Mr. SOUTHALL.

Mr. CAMPBELL of Kansas with Mr. BROUSSARD.

Mr. CHARLES B. LANDIS with Mr. SULLIVAN of New York.

The result of the vote was announced as above recorded.

The SPEAKER. The resolution is agreed to; and under the order the House is in Committee of the Whole House on the state of the Union for the consideration of the bill, and the gentleman from Indiana [Mr. CRUMPACKER] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12707) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States, with Mr. CRUMPACKER in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk began the reading of the bill.

During the reading of the bill the following occurred:

Mr. SMITH of Arizona. Mr. Chairman, I can not see the object in reading a bill which there is no possible opportunity to amend. It seems to me like consuming the time of the House unnecessarily, and I therefore ask unanimous consent that the further reading be dispensed with.

Mr. HAMILTON. Mr. Chairman, I think it can not be dispensed with, under the rules.

The CHAIRMAN. That is the opinion of the Chair, that under the order of the House the reading can not be dispensed with.

The Clerk proceeded and completed the reading of the bill.

Mr. HAMILTON. Mr. Chairman, inasmuch as the rule adopted by the House makes no provision for a division and control of the time, I ask unanimous consent that the time shall be equally divided between the Democratic and Republican sides of the House, and that the gentleman from Tennessee, Mr. MOON, shall control the time on that side, and that I be permitted to control the time on this side.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the time for debate upon the pending bill shall be divided equally between those supporting and those opposing the measure, and that the time of those supporting the bill shall be under the control of the gentleman from Michigan, Mr. HAMILTON, and those opposing the bill under the control of the gentleman from Tennessee, Mr. MOON. Is there objection?

Mr. HEFLIN. Mr. Chairman, I understood the gentleman from Michigan to ask that the time be divided between the Democratic side and the Republican side.

The CHAIRMAN. The request, as put by the Chair, was that it be divided between those who support the bill and those who oppose the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. Mr. Chairman, it becomes my duty to attempt a review of the provisions of this bill. I desire at this time to occupy only a short time, and would be glad if I might finish what I have to say, by way of opening, in thirty minutes. To that end I will ask that I be permitted to proceed for a time, and then if inquiries shall suggest themselves I will endeavor to make response to them.

The Constitution provides that "New States may be admitted by Congress into the Union," but it nowhere prescribes the number or character of the people who shall constitute a proposed State.

No community, I take it, can claim admission into the partnership of States as a matter of absolute right, but whether a community shall be admitted into the partnership of States

ought to depend on the national judgment as to whether the best interests of the Government will be subserved by such admission.

Lying between the thirty-first and thirty-seventh degrees of north latitude stretches an immense domain, bounded on the east by Arkansas and Missouri and on the west by California and Nevada, out of which it is proposed by this bill to create two States, provided the people living thereon shall so elect.

Out of that part of this immense domain, now known as Oklahoma and the Indian Territory, the one organized about fifteen years ago and the other still unorganized, it is proposed to create a State to be known as the "State of Oklahoma." These Territories—Oklahoma and the Indian Territory—are rich in corn, cotton, wheat, coal, gas, and oil, and their cities, staked out upon the level plain but a few years ago by a virile population, drawn from all parts of the Union, have sprung like magic into opulence and power, equipped with every device of energy and luxury. Indian names once synonyms of savage warfare have become the musical names of municipalities, of civilized progress, in which both Indians and white men are participating. [Applause.]

Oklahoma, Mr. Chairman and gentlemen, is an area of 38,830 square miles, divided into 26 counties, with a population according to the last national census of 398,000, and that population has now probably increased to about 700,000. The Indian Territory has an area of 31,000 square miles, with a population of 392,000 by the last national census, which has now grown probably to a population of about 700,000.

These two Territories when combined as a State will make a State smaller than Kansas, smaller than Nebraska, smaller than South Dakota, and about the size of North Dakota. Gentlemen, the arguments in favor of statehood for Oklahoma and the Indian Territory are urgent and compelling. I take it there is hardly a man on the floor of this House who is opposed to statehood for Oklahoma and the Indian Territory, although some few would prefer to see those two Territories separately admitted.

One important provision I desire to call attention to before passing to a discussion of Arizona and New Mexico, and that is the provision whereby it is proposed to project Federal authority into the proposed State of Oklahoma by a requirement that the constitution of the proposed State shall compel prohibition for twenty-one years of the sale of intoxicating liquors within those parts of the proposed State now known as the Indian Territory and the Osage Nation and any Indian reservations which may have existed as such on the 1st day of January of this year.

The reason why this provision is sought to be incorporated in the constitution of the proposed State grows out of what the committee regards as our moral obligations to the Indians. It is true, Mr. Chairman, that our treaty relations with the Indians have almost ceased by their own limitations, and that such treaties as still exist will expire on the 4th day of March of this year; but our committee could not escape the view that there was a certain moral obligation incumbent upon the Federal Government to protect the Indian from himself. We do not doubt the legality of the proposition—we believe in the constitutionality of it.

Farther west lie the Territories of Arizona and New Mexico, with their deserts shimmering in eternal sunshine, their mountains towering toward the sky, their canyons where daylight is twilight, their river valleys of inexhaustible fertility when touched by the magic of irrigation, their mines of inexhaustible wealth, their climate with health in every inspiration, their cities teeming with activity, and here and there the remnants and reminders of one of the oldest civilizations on the American continent. [Applause.]

Topographically the Territory of New Mexico has been called a part of the roof of the continent, sloping not only eastward and westward, but southward, from the eastern side of which the waters flow into the Atlantic and from the western side of which the waters flow into the Pacific.

The Territory is divided, according to the governor's last report, into three regions; one, the eastern plains, being an extension of the high plains of Texas; another, the valley of the Rio Grande, and the third, the western plateaus. In this valley of the Rio Grande and its tributary valleys two-thirds of all the population of New Mexico live, and in these valleys are to be found three-fourths of all the irrigable lands of the Territory of New Mexico.

Arizona is divided into two regions, one the high northern plateaus, where, from plateaus 5,000 to 7,500 feet above sea level, great mountain peaks and spurs and volcanic cones rise still higher. These plateaus farther south in Arizona become great mountain ranges, which grade off into low volcanic ridges; and these volcanic ridges farther southward

descend, by a succession of mesas or table-lands, down to a great alkali desert, almost on a level with the sea. Arizona has an area of 113,000 square miles, or 73,000,000 acres. New Mexico has 122,580 square miles, or 78,000,000 acres. This makes a total area of 235,580 square miles, or 151,000,000 acres, and of all that vast area only about 1 per cent is irrigable. The governor of New Mexico in his last report, which I have here on my desk—and they claim a larger population than the last Federal census gives them—says that there are 300 acres of land down there to every person, and that only 1 acre out of the 300 is cultivated.

Arizona has a population of 123,000. I say 123,000. By the last Federal census it is a trifle less, between 122,000 and 123,000. Of this, 26,000 are Indians, and it is only fair to the people of Arizona to say that they claim a much larger population. They say that they have a population of from 140,000 to 170,000. New Mexico, by the last Federal census, has a population of 195,000. They also claim more. They also claim that the Federal census is inaccurate; and of that population of 195,000, there are about 16,000 Indians, if I remember correctly; but the Indians in New Mexico are the Pueblo Indians.

Now, Mr. Chairman, there are certain powerful interests that are opposed to statehood for Arizona and New Mexico. Among these powerful interests which are opposed to the admission of Arizona and New Mexico as one State are the railroads of Arizona and New Mexico—and I do the railroads no injustice in supposing that in their opposition to statehood for Arizona and New Mexico they are animated, at least in part, by their financial relation to the situation. Supporting this supposition, permit me to call your attention to that part of the last report of the governor of Arizona, in relation to the assessment of railroads. He says, on page 19, as to the second class—that is, those railroads to which he has previously referred as being in part exempt from taxation:

In the second class is the Santa Fe Pacific Railroad, extending across the Territory from east to west, a distance of 390.99 miles. This road constitutes a part of the transcontinental line of the Santa Fe. By an act of Congress it is provided that it shall pay to the Territorial treasurer the sum of \$175 per mile in lieu and in full of all taxes leviable for Territorial or county purposes. *This flat rate is arbitrary, and must in every instance be greater or less than the rule of equality would impose.* At a 3 per cent rate of taxation (which is probably less than the actual rate) this would fix the valuation of one of, if not the most, valuable railroad lines in the Territory at \$5,833.33 per mile. And this must be assumed to be a valuation fixed, inferentially, by Congress. *It would seem, therefore, unequal to assess a railroad of no greater actual value at a higher rate, just as it destroys every notion of equality to assess arbitrarily 390.99 miles of a total of 1,837 miles at \$5,833.33, or approximately that, and wholly exempt another 558 miles of the total mileage from any taxation.* At best, if the railroads were the only property upon which taxes were to be levied, it would seem fair that those having no greater value than the one whose valuation is, inferentially, fixed at \$5,833.33 per mile should not be assessed at a higher rate than that, and that roads of less real value should, for the purposes of taxation, be assessed at less than \$5,833.33 per mile. *But the railroads are not the only property upon which taxes are to be levied, and hence, if a valuation upon them is to be fixed at a proportionately lower rate than upon other taxable property, an inequality arises that is unjust to the owners of other property than railroads.*

The difficulty is, Mr. Chairman, that this system of taxation—that is, the flat rate of \$175 per mile per annum—is not applied equally to the whole Territory, as the governor complains. Now, in addition to this, there are railroads in Arizona estimated by the governor (on page 32 of his report) to be worth \$10,312,380 exempt from taxation. To enable the House to form some idea of the condition of which the governor complains, permit me to call your attention to the fact that the Atchison, Topeka and Santa Fe Railroad north and east of Albuquerque, which is not part, I take it, of the exempt roads, is taxed on a valuation of \$7,000 per mile. That part between Albuquerque and Rincon is taxed on a valuation of \$6,500 per mile. That part west of Albuquerque is taxed \$175 per mile per year. This tax of \$175 per mile per year, the governor of Arizona says, would be on a valuation of a little over \$5,000 per mile in Arizona, whereas in New Mexico this tax of \$175 per mile per year, it is estimated, would be on a valuation of about \$4,000 per mile. Some gentlemen may say, Now, how would this condition be cured if these two Territories were made into a State? This one suggestion ought to help—that that very same railroad, when it crosses the border line from Arizona into California, at the town of Needles, if I remember correctly, has a valuation fixed upon it by the State of California of \$14,000 per mile, and by Census Bulletin No. 21, recently issued, it appears that these roads have a commercial value in the Territories of \$39,000 per mile. Further, the Southern Pacific, when it crosses the line from New Mexico into Texas, at El Paso, has its valuation there raised by the State of Texas to \$17,000 per mile. These facts to every fair-minded man ought to suggest some reason why these powerful interests are opposed to statehood for Arizona and New Mexico, and the

act of Congress which provides that flat rate of \$175 per mile per year says it shall continue so long as they shall continue to be Territories. Another interest—

Mr. MOON of Tennessee. Will the gentleman from Michigan yield?

Mr. HAMILTON. I yield, certainly, for a question.

Mr. MOON of Tennessee. Whose fault is it that that act of Congress exists?

Mr. HAMILTON. I have not any defense to make for that act, I will say to the gentleman from Tennessee.

Mr. MOON of Tennessee. That is one Republican act you do not defend?

Mr. HAMILTON. It ought to be plain to my friend that I am not defending that act.

Mr. MOON of Tennessee. Then I want to ask you this question: Conceding there is corruption on the question of taxation in Arizona, and it is admitted that it is also in New Mexico by the Delegate—

Mr. HAMILTON. Yes.

Mr. MOON of Tennessee. How much better condition will they be in under joint statehood than under single statehood on this question?

Mr. HAMILTON. Certainly that is a very proper inquiry. Just as soon as Arizona and New Mexico are joined in statehood, I take it, all the American citizenship of that Territory would immediately see the impropriety of taxing a railroad at the rate of \$175 per mile per annum, when in California, just over the line, that same railroad was taxed at the rate of \$14,000 per mile; when in Texas, just over the line, another railroad, taxed in the Territories at about \$7,000 per mile, was taxed at the rate of \$17,000 per mile [applause], and when the Census Bulletin shows that these roads have a commercial value of \$39,000 per mile; and further, I take it that the gentleman from Tennessee will not dispute that American citizens, having the interest of the State at heart, desiring to have fair taxation of every industry, not desiring that other industries shall be discriminated against, will see to it that some fair system of taxation is substituted.

Mr. MOON of Tennessee. The gentleman from Tennessee concedes—

Mr. HAMILTON. The gentleman from Michigan.

Mr. MOON of Tennessee. I am conceding something myself now.

Mr. HAMILTON. Good!

Mr. MOON of Tennessee. The gentleman from Tennessee concedes that American citizens would do that and American citizens do that everywhere, and yet he wants to make the suggestion to the gentleman from Michigan that 90 per cent of the people of the present Territory of Arizona are American citizens and that the American Congress is composed of American citizens.

Why is it, then, that the Congress does not remedy it, if it is wrong? Why is it that the people of Arizona do not remedy it, if it is wrong? In other words, is not the gentleman from Michigan undertaking to present to this House a statement that is totally irrelevant to the question of joint statehood?

Mr. HAMILTON. Now, the gentleman has propounded a somewhat lengthy question.

Mr. MOON of Tennessee. Would Americans in the Territory do as well—

Mr. HAMILTON. I do not yield further now. Arizona as a Territory is permitting these improprieties. New Mexico as a Territory is permitting these improprieties. If, as it is hoped by my friend from Tennessee and his Democratic brethren, Arizona could come into the Union as a separate State, these same influences, which are very powerful in that Territory, would still continue to be very powerful in the proposed little State of Arizona, and the same influences, which are very powerful in the little Territory of New Mexico, would still be very powerful in the little State of New Mexico. But sometimes two poisons neutralize each other. Put these two Territories together and they will not pursue that course.

Mr. MOON of Tennessee. I desire to ask my friend one question now.

Mr. HAMILTON. I want to pursue this line further.

Mr. MOON of Tennessee. Corruption, the gentleman says, exists.

Mr. HAMILTON. I have not charged corruption, nor have I made one suggestion of it.

Mr. MOON of Tennessee. What does the gentleman charge there?

Mr. HAMILTON. I read the governor's report. I ask gentlemen to draw their inference as thinking gentlemen.

Mr. MOON of Tennessee. The only inferences an intelligent man can draw is that it means corruption. Let me ask the gen-

tleman, if corruption exists in Arizona, where the population is 90 per cent American; if corruption exists in New Mexico, where the majority of the population is Mexican, then if you unite those two Territories will not the corruption have a better advantage in the control of one legislature and one governor than of two legislatures and two governors?

Mr. HAMILTON. Let me answer the gentleman. Under present conditions the Territory can not purge itself as well as a State can. [Applause.] The governor of a Territory is an appointive officer. He is not responsible to the electorate. Make the governor of Arizona and the governor of New Mexico responsible to the moral sentiment of the people and a different condition might prevail there. [Applause.] The governor of New Mexico—and I can not speak about Arizona—appoints a little coterie of officeholders—about 350 of them. That little coterie of officeholders go about the Territory of New Mexico. They owe their position to that appointive power. That makes a close corporation for the carrying along of any purpose which they desire to carry on as a Territory. Change that condition, give them a legislature, let the people be represented there, and I take it that the gentleman from Tennessee [Mr. Moon], unless he wants to reflect upon State government, will admit that those people ought to be able to regulate and change their condition, or else State government is a failure.

Mr. MOON of Tennessee. Just one suggestion there—

Mr. HAMILTON. The gentleman stated he would allow me to proceed.

Mr. MOON of Tennessee. I will in one second. The logic of the gentleman's position is this: If the forces of corruption are united they become weaker.

Mr. HAMILTON. They are united now. [Applause.] I said that sometimes one poison neutralizes another.

Mr. MOON of Tennessee. But the corrupt poison—

Mr. HAMILTON. I made my position clear. Now, I want to call the attention of my friend, and he does not approve this any more than I do, to the mining interests, referred to on page 23 of the report of the governor of Arizona. The governor of the Territory, in his annual report, has taken occasion to call attention to the gross undervaluation of mines for purposes of taxation. Referring to the manner in which the law is disregarded by the local taxing officers, he says:

It is conceded by estimates made by the most conservative experts that the mines of Arizona have not heretofore been assessed in the aggregate at 5 per cent of their value.

Mr. NEEDHAM. Mr. Chairman—

Mr. HAMILTON. I can not yield now.

At a recent meeting of the Territorial board of equalization (August 14–21, 1905) an attempt was made in the direction of remedying this palpable evil. So careless or ignorant in the discharge of their duties have been the local taxing officers that gross inequalities are found in the assessment of the mining properties. It would appear that because of this disregard of duty any step taken to rectify the inequality in the valuation of such properties may work hardships in individual cases. These cases, however, are not numerous. It is a usual result, where those charged with the administration of law are ignorant, habitually careless, or corrupt, that an attempt to return to a fair administration of it is temporarily followed by apparent hardships upon some.

Now, I would like to make a comment on that.

The CHAIRMAN. Did the Chair understand the gentleman from Michigan to request that he be informed when he had consumed thirty minutes of his time?

Mr. HAMILTON. I think perhaps I will try to proceed ten or fifteen minutes longer.

The CHAIRMAN. That is entirely under the control of the gentleman.

Mr. HAMILTON. I want to discuss this just a moment, and then I will give my friend from California a chance.

Now, this state of affairs as to mining assessments is not a matter solely of testimony before the committee. There is not any possible conflict of opinion. It is not one man's opinion against another man's opinion. It is a cold statement in type of the governor of Arizona. The railroads in Arizona are valued for commercial purposes at about \$68,000,000; they are valued for taxation at about \$6,000,000; that is about 9 per cent. In New Mexico the railroads are valued at about \$86,000,000, and valued for taxation at about \$8,000,000, about 9 per cent of their value. The mines in Arizona—and there is where the principal mines are—are taxed at less than 5 per cent of their value.

Now, I could call your attention to specific instances which appeared before our committee, and in doing this I desire not to cast any reflection upon anybody. Take, for instance, the case of a gentleman who appeared before the committee—a Senator of the United States. The Senator, having waived his privilege as United States Senator, proceeded to make comment upon the governor's statement to which I have referred, and upon the statements made by the well-known newspaper correspondent, Mr. William E. Curtis, and of the equally well-known

correspondent, Mr. Walter Wellman, as to the value of certain mines. It appeared that William E. Curtis had said that the owner of the mine told him that he had been offered \$25,000,000 for his mine. The Senator said he had never been offered \$25,000,000 for his mine, and that he did not make any such statement to Mr. Curtis. In that same connection I called his attention to the fact that Mr. Curtis said that there had already been taken out of that mine \$90,000,000 worth of ore and that the annual income of that mine had been upward of \$3,000,000, and that there was about \$150,000,000 worth of ore in sight. The mines of Arizona are rich beyond the dreams of avarice.

Mr. ADAMS of Wisconsin. The gentleman need not look that way at me.

Mr. HAMILTON. I was trying to get some inspiration out of my friend. Well, now, that mine with an annual \$3,000,000 output is valued for taxation at less than a million dollars. Now, I yield to the gentleman from California.

Mr. NEEDHAM. Do you not know that the assessors in Arizona and New Mexico are now elected by the people? Then what difference would there be under joint statehood?

Mr. HAMILTON. The governor says that these matters are regulated by a board of equalization.

Mr. NEEDHAM. Only the railroad property; but all other property is assessed by assessors elected by the people.

Mr. HAMILTON. My recollection is not in accordance with the statement of the gentleman from California.

Mr. NEEDHAM. You are mistaken.

Mr. HAMILTON. I simply ask my friend from California to draw that just inference which the governor's report permits to be drawn, and I do not care to discuss this subject any further.

Mr. NEEDHAM. Is not that inference drawn by nearly every governor of every State in the Union to-day?

Mr. HAMILTON. No; not every State. Here is an assessment of less than 5 per cent of the valuation of these mines, which are rich beyond conjecture.

Another great interest is said to be opposed to joint statehood for Arizona and New Mexico, the lumber interest. On page 23 the governor of Arizona says that this interest is very inadequately taxed. I do not care to make any further comment upon that.

Mr. SMITH of California. Will the gentleman yield for another question?

Mr. HAMILTON. Yes.

Mr. SMITH of California. Are the taxing officers elected or appointed? Which is it, under the Territorial government?

Mr. McGUIRE. The assessors are elected, and in addition to the assessors there is a board of equalization which can either raise or lower taxes.

Mr. SMITH of California. I wanted to know whether we had to charge this condition of things to the people of the Territory or to the President of the United States, the appointing power.

Mr. HAMILTON. Charge it where you will, but look for your remedy—

Mr. SMITH of California. Now, if they are elected by the people will you change the nature of the people and therefore the nature of their public servants by transferring the form of government from a Territory to a State?

Mr. HAMILTON. I will ask the gentleman to study that board of equalization pretty carefully in connection with the governor's report. That is all I have to say about that.

The cattlemen are said to be opposed to joint statehood for Arizona and New Mexico, and this casts no reflection upon the cattlemen. One gentleman down there appeared before the committee. He had cattle on a thousand hills and more, and probably did not know how many cattle he has. The interests which he represents are opposed to joint statehood for Arizona and New Mexico because of the disappearing public domain. These lands, intended for school purposes, for making one of the finest school systems of any State in the Union, would be set aside for that purpose and would no longer be free grazing ground for the gentlemen who own large herds of cattle.

I have commented upon the Territorial officers. Now, I want to hurry on. Objection is made because the systems of laws in the two Territories are inconsistent. Gentlemen, there is not a shadow of an argument to any fair mind, I take it, in that. They say there is a difference in the system of laws. New Mexico has one code of laws, Arizona has another code of laws; but witnesses before the committee stated that these laws were drawn from various States—California, Texas, and New York—and that they were practically drawn from the same sources, and that the Territory of Arizona is talking about adopting the sanitary laws of New Mexico. Their codes of laws are not inconsistent, but what difference? If they were made one State,

they would get together and adopt a code of laws which would contain the best elements in both the old codes.

Ah, but they say the administration of the law in the courts would be difficult. Let us examine that. You gentlemen come from the different States of the Union. You know that the administration of State laws is by what we in Michigan call circuit courts. Some of you in other States call them district courts. From these courts an appeal lies to the supreme court of the State. Now all over these two Territories, after they are admitted to statehood, would be circuit courts responsive to the people living within those circuits. Is there any difficulty in such administration of laws any more than there would be difficulty in the administration of the laws by a circuit court in the city of Chicago, or in the city of New York, where the population is very largely mixed, and where there is a larger foreign element than there is in the Territory of New Mexico? Besides all that, when it comes to the Federal courts, we have made Arizona into a western district and New Mexico into an eastern district, added to the ninth Federal circuit.

They say that the school system would be injuriously affected. Gentlemen, follow me a moment. What is the school system? The school system of these Territories does not differ in any degree from the school system which prevails all over the United States of America. It is the same old common school system, the splendid old common school system that gave many and many a man who sits before me to-day the only chance he ever had in the world. It is the same old common school system down there. There is no difference between Arizona and New Mexico. Besides that, one Territory has as much school property as the other to put up against the other and make a splendid common school system. Further than that, we propose to give them 4 sections of land to help them. That arid land is not very valuable, but we are going to give them this land so that they will get along pretty well.

Now, they say the area and distance is a great objection to making a State of Arizona and New Mexico, because it will be such a large State. It will be about 26,000 square miles less in extent than Texas. Gentlemen, from Prescott to Santa Fe is about 420 miles in a straight line. From Phoenix to Santa Fe is about 420 miles. From Sacramento to San Diego, Cal., is about 540 miles. When you talk about distance, look at the distance from Austin, Tex., to El Paso, about 580 miles. From Austin, Tex., to the north line of Texas is about 540 miles. I have a large number of comparisons here to show that the argument of distance ceases to be of any force on this question. Of course you see it will be large. Why, gentlemen, if area makes a State, the Desert of Sahara would long ago have been a great state in North Africa. But area does not make a State. The irrigable land down there is about a million and a half acres in both Territories. The gentleman from Tennessee [Mr. Moon] has in his district 3,780,480 acres of land. Talk about size. Why, we have in the Fourth district of Michigan 2,309,120 acres of land.

Now, they say that there are barriers here—insuperable barriers to the joint statehood of Arizona and New Mexico. There is no natural barrier. What is it? None. The great Continental Divide is about 100 miles east of the imaginary dividing line. What is it? My friend Mr. Rodey—and I want to pay a tribute to Mr. Rodey, now that I have got along to him—no better Delegate ever came from any Territory to Congress [applause], and he worked to the best of his ability for joint statehood, and now he is back here hoping to see this thing go through. He told me that that so-called "Continental Divide," which has been raised up in the fertile imagination of some gentlemen here, is nothing but a hump, graded up on one side and down on the other, four railroads crossing it back and forth. He says the valley of the Rio Grande is 5,000 feet above the sea level, and when you talk about divides, there is a divide at Raton, on the Santa Fe route, and one at Glorieta, but there is no difficult divide between New Mexico and Arizona. There are two important divides in Arizona.

Now, they say it is difficult to get about these Territories. Of course it is difficult to get about from one place to another, and it will be difficult until they get more railroads.

They say there are people in New Mexico who are extracted from the Spanish, who speak partly Spanish. How many? Some people say two-fifths of the population, which is 195,000 by the last census, and that would be about 70,000—but say one-half of the people of New Mexico are of Spanish descent. As a matter of fact these people, as a rule, are God-fearing, church-going, upright, honest people, belonging to the Catholic Church, of good morals, and I understand, as a rule, they vote the Republican ticket. [Laughter.]

Mr. KLEPPER. And let me say to the gentleman that one-half of them speak English.

Mr. HAMILTON. Yes; and as my friend from Missouri says, one-half of them speak English.

But they say that the lesser population of Arizona fears merger with the greater population of New Mexico because of this population in New Mexico of Spanish extraction. Why, suppose half of the population of New Mexico were people of Spanish extraction. Suppose you had 100,000 Americans in New Mexico and 100,000 Americans in Arizona and there were 100,000 other people in New Mexico who were extracted from Spanish blood, somewhat remotely—three hundred years ago—that would be two to one on the count, would it not? Ah, but they say, "When you get a constitutional convention they will make their power felt there." Let us see about that. We provide for 66 delegates to a constitutional convention from New Mexico. We provide for 44 delegates to a constitutional convention from Arizona. Divide your 66 delegates from New Mexico and say that there are 33 of those reputable, respectable people who have the misfortune to speak two languages at least—which is more than a good many of us can speak—say that there are 33 of them out of the 66; well, add to your 33 Americans the 44 from Arizona, and you have 77. There you have it—77 to 33. Now, who has cause to be afraid there? What becomes of that bugaboo? Why, gentlemen, these people of Spanish extraction in New Mexico have demonstrated their loyalty and patriotism to this great Union of which they seek to be more intimately a part. From the Territory of New Mexico, a large percentage of whom were these same people, were drawn 6,500 men in the late civil war, and those men fought on the side of the Union; and in the late Spanish war, of those people 1,000 were recruited, and 500 of them were rough riders, who went, some of them, to war against the very nation from which they are extracted. In Arizona they have set up a monument to Bucky O'Neill, who died at San Juan Hill. Ah, if it had not been for the patriotism of people like that we might, indeed, possibly have been reduced to the condition somewhere described by Mr. Dooley, where travelers on the way to China would be getting up and looking over the side of the ship and saying, "There is where America used to be."

Now, because of the patriotism of people like that, we have become forty-five indestructible States in an indestructible union of States, united under one written Constitution, symbolized by one flag, known and respected the whole world over as the Stars and Stripes. [Applause.] And, Mr. Chairman, we hope to add two more stars to that flag, one to be known as the State of Oklahoma and the other to be known as the State of Arizona. [Prolonged applause.]

Mr. REID. Mr. Chairman, I had not intended to take part in this debate until morning, and I am not as fully prepared as I had hoped to be to present what few facts occur to me might contribute interest to this discussion, and yet when I reflect upon it the whole subject appears somewhat in the nature of satire to me. I do not think any gentleman who will address this committee on this subject entertains the slightest hope that a single vote will be changed by any character of argument that may be made. After the passage of the rule adopted by the House to-day, it becomes perfectly manifest that it is not a question of facts or figures; it is not a question, Mr. Chairman, of right or wrong. It has been boldly stated upon the floor of this House in the discussion of the adoption of the rule that the rights of these people are not to be considered, that the interests of this country are not to be considered, that these things must all be subordinated to party expediency of the hour, and it is that proposition alone which it is conceded actuates the majority of this House in the adoption of the rule by which we are forbidden to offer an amendment to this bill or to discuss it as it should properly be discussed. The hurried reading of the measure before the committee is the only one, permit me to say, that has been had or will be had either in this House or in the committee that had this measure under consideration. When the committee that had this bill in charge met for its consideration, I think it proper that this House should know that we were informed by the chairman and other Republican members of the subcommittee that they had met together previous to the meeting of the whole committee and had agreed upon every line and word of that measure, that every "i" had been dotted, every "t" had been crossed, and that every amendment which might be offered by the minority or anybody else relating to any subject involved in this bill would be promptly voted down. I want the country to know, Mr. Chairman, that in that committee we did what we were not permitted to do in this House. We offered to compromise our views upon this subject by separating these two propositions, and offered to amend the bill so as to submit to this House the question as to whether Oklahoma and Indian Territory should come into the Union as an independent State, striking out that part of the bill

which related to Arizona and New Mexico. Not being satisfied with that, intending to go to the very farthest limits in justice to the people of Arizona, we offered to insert the word "each" in the bill at the proper place, which would leave to the people of Arizona and New Mexico the right to say whether they would accept the character of government that it is proposed shall be forced upon them now. The gentlemen promptly voted it down. We are not permitted to ask the consideration of the House of that subject.

I listened with great pleasure and interest to the chairman of the committee who has this bill in charge. I was in hope that he would assign some reason why Arizona and New Mexico should be combined in this unwilling union. Let us look at this matter as it appears to this House for a few minutes. On the one hand, here is Oklahoma and the Indian Territory, either one of them measuring up, in my humble judgment, to the highest standard of statehood; either one of them entitled to come into this Union on an equal footing with any other State in the Union; either of them with more taxable wealth, with more population, more area than dozens of Territories had when they were admitted to the sisterhood of States, entitled to admission by every rule that has ever been prescribed by Congress in the one hundred and twenty years since a Territory was first admitted into this Union as a State.

Many of us insist, Mr. Chairman, that they should be admitted as separate States now; but conceding that the people down in that country are the best judges of their interests, or at least have more at stake upon the proper solution of the question than others, and realizing that they are suffering from the form of government that obtains, we are willing to make that concession, and there is not a man upon this side of the Chamber, so far as my information goes, but who is ready and willing to step up here and join the other side of the House and make a State in twenty-four hours from Oklahoma and Indian Territory. Show me the man, Mr. Chairman, who has lifted his voice in this House in opposition to that proposition. Will the chairman of the committee having in charge this bill, will anybody deny that Oklahoma and the Indian Territory, under the conditions provided in this bill, are not entitled to be admitted now as a State in this Union? That being true, why is it not promptly done? Why are we standing here to-day in opposition to this measure? On the other hand, here is Arizona, through her Delegate, pleading simply to be let alone, begging the Congress of the United States not to destroy her original boundaries, not to join her forever in an unwilling union with her neighbor, New Mexico.

New Mexico is here to-day telling us through her Delegate that they are not anxious to be joined with Arizona. They claim that they have the right to statehood upon their own merits. This is also claimed, and justly claimed, in my judgment, in behalf of Arizona. The gentleman who preceded me referred in complimentary terms to the former Delegate from Arizona. I concur in everything he said complimentary to that gentleman, but I can not but mention the fact that when a similar measure was pending for consideration before the Committee on Territories two years ago the gentleman was then an earnest and ardent advocate of single statehood for New Mexico, and convinced me then that New Mexico should be made a State of this Union and made a State upon her own individual merits; and when the gentleman pictured to us the great Continental Divide that made an impassable barrier between those two Territories and told us that it would be impossible ever to adjust their different conditions and to communicate to that extent and with that ease that was necessary to carry on a proper State government and gave many and various other reasons why they could never be joined and why the Territory of New Mexico should be made a separate State, I listened to him with interest, and I became thoroughly convinced of the correctness of his views. He added to that argument another before the committee of the Senate, and I think I quote him correctly when he said before that committee that if the proposition were left to the people of New Mexico as to whether they should be joined with Arizona at this time it would be promptly voted down, and he said they would never surrender their views unless coerced by the unjust action of Congress. I stand upon what he said, Mr. Chairman, and insist it is the unjust action of Congress that is coercing the people of New Mexico into surrendering their views upon this subject. [Applause.] It is a species of powerful coercion, Mr. Chairman, and let me go a step further and say not only I feel absolutely sure, having learned from association with people in that section and what I have learned before the committees that have investigated this matter, that if the proposition were put to the people to-day in Oklahoma and Indian Territory as to whether they should have statehood as one State or as two, if we would just simply say,

"Now, you can have either one you want, it is not a question of what party is in power or what party is not, we leave it to you," three-fourths of the people of those Territories will say that they should have a single State of each Territory. They have been coerced into this position—coerced by the unjust action of this House.

Now, Mr. Chairman, the gentleman at some length went on to show that the railroads and mining interests, the lumbering interests, and the various other great interests in Arizona and New Mexico were not properly taxed. That may or it may not be true. I am inclined to believe that it is true, that it is there as it is elsewhere, that these institutions and industries, great and powerful as they are there, often escape their just portion of the burdens of civil government, and I thought when the gentleman took up that phase of the subject that he would certainly assign to this House some reason why it was necessary to force a union of New Mexico and Arizona in order to remedy that condition. I heard from him that they were not properly taxed. I heard from him for the first time also, Mr. Chairman, that the railroads of this country were opposed to joint statehood. I should like for the gentleman to tell me upon what authority he bases that statement. I heard him say that the mining interest is opposed to joint statehood; that the lumbering interest is opposed to joint statehood, and the only reason he assigned was that they escaped their share of taxation. I have no doubt they are opposed to statehood—opposed to statehood in any form—and they know there is no better way to defeat statehood legislation than by means and under the guise of this omnibus bill. In this form, in order to secure even a partial recognition of the rights of Oklahoma and Indian Territory, we must trample the rights of New Mexico and Arizona ruthlessly under our feet and turn deaf ears to the piteous appeal that comes to us from every village and hamlet and hill and plain in Arizona.

I attended the committee when they had the hearings upon this subject closely, I think, and it escaped my memory if any man said that the railroads were opposed to joint statehood or that the mining interests were opposed to joint statehood, or any of these other interests to which the gentleman has referred. The gentleman may correct me if it is not true. This is the first time that I have ever heard that proposition stated in that way. I have always understood they were opposed to any statehood legislation.

Mr. HAMILTON. Has the gentleman not heard that the railroads are opposed to joint statehood?

Mr. REID. Mr. Chairman, there is just the point. They are opposed, perhaps, to statehood. I do not blame them, if they are not taxed any more than it is said they are taxed; but who said they were opposed to joint statehood?

Mr. HAMILTON. May I suggest to the gentleman that the railroad is not an eleemosynary corporation, and that when it sends a train of cars down into the Territory, furnishing transportation, it will be an inference from which one might suppose that they were opposed to statehood?

Mr. REID. When they did what?

Mr. HAMILTON. They are not eleemosynary corporations.

Mr. REID. I have never heard of them being accused of being eleemosynary corporations. I do not understand the force or relevancy of the gentleman's remark, Mr. Chairman. My statement is that no such proof as that was made before the committee. I do not know whether they are opposed to joint statehood or single statehood. I assume, if what he says is true, they would oppose statehood under any circumstances. But it occurs to me that if they were compelled to make any concession whatever that these powerful institutions to which he refers, these railroads and the mining interests that take legislative bodies by the throat and direct them as they will, they would much prefer to have one legislature down somewhere in the mountains, from five to seven hundred miles to the farthest end of its jurisdiction, to deal with than two legislatures composed of such people as constitute the population of Arizona and New Mexico. [Applause.]

Mr. LILLEY of Connecticut. It is only in the Territory of Arizona that they have mining. It would hardly apply, as all mines are in that Territory. They do not have to deal now with two legislatures.

Mr. REID. I think the gentleman is mistaken about that. There are mining interests in both Territories, and they would have two legislatures. The railroads are not all in the Territory of Arizona, and it is railroads that constitute a large per cent of the taxable wealth that, I understand, is escaping its just part of taxation.

Mr. KLEPPER. I would like to ask the gentleman if he remembers any evidence to the effect that the cattle barons of Arizona are opposed to joint statehood?

Mr. REID. I do not know. There was no such evidence before the committee when I was present.

Mr. HAMILTON. A gentleman by the name of Sturgis appeared, representing the cattlemen of Arizona.

Mr. REID. Perhaps I was not present when that occurred. I remember that the chairman made a remark once there that the cattle barons were opposed to statehood, but they have been keeping very quiet about it if they are opposed to joint statehood, Mr. Chairman, and that is all the more reason that they ought to have statehood. If these railroad corporations and mining interests and these great cattle barons are all doing what they can to prevent statehood, it is all the more reason why we ought to have statehood. We are here to agree with you that Arizona and New Mexico ought to be incorporated into the Union. The only question upon which we divide is as to whether they ought to come in here as separate States or to come in as one State. Now, I undertake to say if there has ever been any test prescribed in all the history of this country by which a Territory is entitled to admission into the Union that either of these Territories measures up fully to that standard.

What does it take to constitute a State? Is there any rule, any test, any standard by which we are to be governed, or any precedent which we are under legal or moral obligation to observe? Are we to give these people and the nation to understand that the destiny of these Territories depends not upon any question of right and wrong, not upon population, wealth, resources, and extent of area, but, spurning the jewel of consistency, as boldly stated by the gentleman from Ohio, the whole matter is to be determined by the political whim of the leaders of this House?

Let us test their sincerity. Take Oklahoma and Indian Territory. The people there are pleading for the "home rule" you proudly promised them in your party platform. They point you to their wonderful industrial development and inexhaustible resources, to their teeming hordes of population and immigrants streaming across their borders. They challenge a comparison with their sister States wearing the purple robe of sovereignty and demand to know why this great reward of the industry and courage and thrift of the American people is so long and so unjustly withheld from them. You promised them statehood. You can not deny that they are entitled to it. Let these people make no mistake as to who are their friends. You put us to the alternative of perpetrating an awful and an eternal outrage upon Arizona and New Mexico or still further deny to Oklahoma and Indian Territory the rights that are justly theirs. This is the miserable game you have always played; this is the insidious means by which you have succeeded in so far defeating all legislation whatever upon this subject. On behalf of these unfortunate people we have conceded everything but their political existence; offered to compromise everything but honor. There are many vicious things of a minor importance hidden between the lines of this bill, but we have no power to strike out. There are many things that should be added and inserted, conducive to the peaceful and proper organization of the States, but we have no power to amend.

No argument has ever been made why these Territories should be consolidated that does not apply with much greater force, if force there be in it, to the case of numbers of the Eastern States. Surely if Oklahoma and Indian Territory or Arizona and New Mexico should be made one State, then Delaware and New Jersey, New Hampshire and Vermont, Rhode Island and Connecticut should be made one. Has the country ever suffered on account of the fact that States were made of these small areas? And what are your reasons for consolidating the Territories? I confess that I have never heard a sound one advanced. In the case of Oklahoma and Indian Territory it is insisted that different resources exist in the two; that one has many things that go to make up material excellence that the other does not possess; that one is the complement of the other, and they should therefore be made one. But gentlemen forget that in the next breath they argue that Arizona and New Mexico are alike; that their material wealth is the same; that their people are engaged in similar pursuits, and should therefore be governed under the same code of laws.

In the early history of this country Territories organized themselves into States, came to the doors of Congress, presented their constitution, and demanded and received recognition as a sovereign State without any enabling act of Congress, and none is necessary to-day. Refuse to recognize them, if you will, but these communities to-day are, and of right ought to be, sovereign and independent States.

Thirteen States have been admitted to the Union with less taxable wealth than either Arizona or New Mexico. Oklahoma alone has more wealth than was possessed by any State when

it was admitted to the Union. The proposed State of Oklahoma has 200,000 more people than any State had when it was admitted, and she has more school children than many States to-day have population. Under the ordinance of 1787, which I insist is to-day an implied contract, in good faith, binding upon the Union, and these people in all these Territories have the right to make its terms in their behalf, 60,000 free inhabitants was all that was necessary. Nothing was said about area, whether small or large, or wealth and resources, whether great or small. But you say the ratio of representation has increased. I deny that this has ever been made the test. Twenty-five States were admitted, beginning with Vermont in 1791 and coming on down to Colorado in 1876, and Maine and Kansas were the only ones that had 100,000 people. From 1836 to 1837 the ratio of representation was 47,700. Arkansas was admitted with 25,000 people, and let me call the attention of the gentleman from Michigan to the fact that his own State came in, and came in as a matter of right, with only 31,000 people.

From 1845 to 1848, when the ratio was 70,600, Florida was admitted with only 28,700, Iowa with 43,000, and Wisconsin with 30,000. In 1858, with a census ratio of 93,500, Minnesota came in with 7,000 and Oregon with 13,200. With a ratio of 127,000 Nebraska came in with 28,800 and Colorado with 39,000.

The secret of the whole matter is the growing influence of the West in the Senate of the United States. If these Territories were east of the mountains they would have been admitted years ago. Gentlemen cry out in alarm at the prospect of granting to these Territories the same representation upon the floor of the Senate that is enjoyed by the older States. "What," they ask, "Is Arizona or Oklahoma to have the same power and influence in the Senate that is exercised by the great States of New York and Pennsylvania?" Why do they never compare these Territories with Connecticut and Rhode Island? Why do we hear nothing of the wonderful resources of Vermont, the multiplying populations of Maine and Massachusetts, or the boundless domain of Delaware? Ah, no, indeed! From the foundation of this Government New England has dictated the financial and fiscal policy of this nation, but the day of western ascendancy has begun to dawn. The ability to sustain great populations in New England is rapidly diminishing, while that of the South and West is becoming greater and greater as year is added unto year.

There is more than twice as much territory west of the Mississippi as there is east of that river. The population east has increased in the last decade at about 17 per cent, while that west has increased at from 60 to 70 per cent. Fifty years from now, if the same ratio prevails, there will be three times as many people west as there are east of the Mississippi. The same per cent, and greater, holds true in regard to material development.

The two Territories of Arizona and New Mexico have more acreage in lumber than the area of the New England States. Arizona alone has more cattle and sheep than New England. This extraordinary development is true in every department of industrial life.

But, be it understood, that while I view the grand progress and development of my own section with all of the pride of a patriot, I take no pleasure in the declining glories of New England. I love every foot of her historic soil and all that is grand and glorious in her mighty past. I am proud to trace my own ancestry back to her sturdy loins. It is not that she is less, but that in the West there has grown up a greater. God has prospered the fortunes of her sons and daughters sent forth to take the land and subdue it. The son has grown greater than the sire. Mr. Chairman, the West has won her way to the position of power and influence in the nation that she demands shall be hers. It is unjust to withhold it from her. East of the Mississippi there are 26 States, with 52 representatives in the United States Senate. If all the remaining Territories were made into States there would be 23 States with 46 Senators west of the Mississippi, representing in the comparatively near future three times as many people.

But arguments do not avail. It is vain to repeat them here. Everything must give way to the politics of the hour. Your determination is taken. Go on and pass your bill, but let it be recorded that I am one among those who will not sell their birthright for a mess of pottage. When that day shall come, as come it will if this measure is enacted into law, when the populations of the South and West, far outnumbering the East, shall cry in vain for just recognition in the legislation of the nation; when their industrial development is hampered and made to pay tribute to less populous sections; when they demand their share of appropriations for public buildings and for rivers and harbors, let them turn back and read the history of this hour and determine who among us had the real interest of the whole

country at heart. Let them say who it was that laid sacrilegious hand upon the covenant of our fathers and destroyed that equilibrium of power among the States represented in the Senate which they considered so necessary for the peace and perpetuity of this Union. [Loud applause.]

Mr. HAMILTON. Will the gentleman from Tennessee proceed?

Mr. MOON of Tennessee. Mr. Chairman, I know that the usual hour for adjournment has arrived, but inasmuch as this debate is so very limited under the rule, and advantage was taken of reading the bill, which occupied a great deal of time, I think we had better go along a little later. I yield fifteen minutes to the gentleman from Texas [Mr. BEALL].

Mr. BEALL of Texas. Mr. Chairman, not in recent years has this country witnessed a more disgusting spectacle of "bossism" than has been displayed in this controversy over the admission of these Territories into the Union of States, and in no instance has this House shown more signally into what depths of degradation it has sunk. I do not believe it is an exaggeration to say that if every Member here followed his own judgment and observed the behests of his own conscience there would not be fifty votes in favor of this measure. But they have not been permitted to do this.

The Speakership of the House of Representatives has always been a position of honor and of power. Under the system of rules prevailing now he is vested with autocratic power. Blind when he does not want to see, deaf when he does not want to hear, he is the great joss of this House before whom every member of the majority must daily prostrate himself or risk political excommunication. The Committee on Territories held this bill for thirty days awaiting the order of its master to report it. For thirty days the Speaker of this House concentrated his energies upon the insurgents of his own party. He wheedled and coaxed them; he flattered and frightened them; he cooed like a dove and roared like a lion, as occasion required. He pointed out green political pastures for those who would sacrifice conviction to be servile, and pictured the dark waters of political oblivion sweeping over those whose independence was above price.

The Speaker was not alone in this crusade. Under the Constitution the President is vested with the duty to "give to Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient." This the President did at the beginning of this Congress. There the duty of the President ended. But this did not mark the limit of Presidential activity. According to press reports, he has directed the campaign in this House; he has had the little coterie that through him control this House in frequent consultation, and anointed them anew with the oil of Presidential approval. From the same high authority it is known that he has summoned the "insurrectos" into his awful presence, singly and by squads. He has appealed to every sentiment of selfishness, every instinct of pride, every phase of partisanship, and every element of fear. The demand seems to have been, "Surrender your principles or surrender your 'pie.'" To appreciate the seriousness of this choice to Republicans it is necessary to know their childlike fondness for "pie."

By these methods a sufficient number of insurgents were chloroformed into silence or cudgeled into obedience to make sure of the adoption of this iniquitous rule under which the voice of this House is stifled and its true will thwarted. When this was assured the bosses passed the word down to the Committee on Territories, and, in servile obedience that would be amusing were it not so shameful, this bill was reported.

Mr. Chairman, the passage of this bill reveals so completely the shameless hypocrisy of the Republican party that this country would be startled if it were not for the fact that the country has grown accustomed to this phase of its character. For twenty years it has been demanding through its national platforms just precisely what it is now seeking to defeat, viz, separate statehood for New Mexico and Arizona. In the convention of 1888 Mr. McKinley was chairman of its committee on resolutions and reported to the convention and secured the adoption of a platform containing this language:

The Republican party pledges itself to do all in its power to facilitate the admission of the Territories of New Mexico, Wyoming, Idaho, and Arizona to the enjoyment of self-government as States, such of them as are now qualified as soon as possible, and the others as soon as they may become so.

If it be said that as to New Mexico and Arizona this was only a pledge for statehood for the future upon their becoming qualified therefor, I call attention to the fact that prior to that time Republicans had passed bills through one or the other branches of Congress granting statehood to both New Mexico and Arizona. Between 1888 and 1892 Wyoming and Idaho had been admitted

to statehood. At the Republican convention of 1892 the platform contained the following declaration:

We favor the admission of the remaining Territories at the earliest practicable day, having due regard to the interests of the people of the Territories and of the United States.

In 1896 Mr. McKinley was nominated and was declared elected. The platform upon which he ran repeated the language of the platform of 1892 upon this subject.

In all these platforms the declarations quoted were understood by Republicans and Democrats alike to mean that these conventions were declaring in favor of the admission of the Territories to separate statehood.

In 1896 Mr. FORAKER, now Senator from the State of Ohio, was chairman of the committee on resolutions and chairman of the subcommittee that drafted the platform. Speaking in the Senate on January 15, 1903, on the statehood bill, he said:

It was my fortune to be not only a member of the committee on resolutions in the national Republican convention of 1896, but I was also chairman of that committee, and I was a member of the subcommittee and chairman of the subcommittee that drafted that platform. I knew then exactly what we were putting in that platform. We put it in after giving a hearing to everybody who wanted to be heard; we put it in there thinking it would strengthen the cause of Republicanism throughout the West. It was not an idle thing; it was not an ill-considered thing on the part of those who did it; it was carefully considered, and it was done after it was thoroughly discussed. * * *

I can understand how a man might think, even in 1896 or in 1900, that these Territories ought to be admitted to statehood and might now think differently, but before any man has a right to change his mind he must profess to have new light of some kind or other. I have no new light. I was in earnest then. I knew what I was doing, and every other member of that committee knew what he was doing. There was a careful hearing. That declaration was not put in there to help the opposition—it was put in there to help the Republican party; and we put it in there because we thought it was right. I feel to-day just as I did then, and I intend to vote now, when it is not a mere platform proposition, as I voted then, because I am in earnest now, as I was then.

But the platform of 1900 settled beyond all controversy the position of the Republican party upon this question. The convention at which this platform was adopted nominated Mr. McKinley for a second term and nominated Mr. Roosevelt for the Vice-Presidency. This platform made this declaration:

We favor home rule for, and the early admission to statehood of, the Territories of New Mexico, Arizona, and Oklahoma.

Speaking of this declaration, Senator FORAKER, in the speech referred to before, says:

I supposed it was a settled proposition when we came out of the national Republican convention of 1900 that the Republican party of this country proposed to do what we had promised to do—to bring these Territories into statehood. I suppose we had so settled it. I have been in favor of the unqualified admission of these Territories from that time until now. I helped draft that declaration and I helped to secure its adoption. Without new light I could not repudiate it now, and Mr. President, I have had no light except only that which has strengthened me in the belief that I was right then and that I am in the right now.

Not only must the Republican party abandon every platform declaration it has made to pass this bill, but it must repudiate its legislative record of the last forty years. Bills admitting New Mexico to statehood have been considered in twenty-two Congresses and have passed either the Senate or House seventeen times and both Senate and House at least twice, dying in conference. Bills admitting Arizona to statehood have passed the Senate or House several times. In every instance Republicans and Democrats alike have voted for their admission. The able Speaker of this House, in his distinguished service here of more than thirty years, has witnessed the passage through this body of most of these bills, and the absence of protest would suggest that he consented; but now, with the mercilessness of a czar, he would crush any Republican who dares to think as he thought or to vote as he voted. The gentleman from Pennsylvania, who reported on yesterday the rule and who always becomes the spokesman of his party when conscience is to be silenced and right crucified, has been a Member of this House in Congress after Congress when these bills passed, and never, so far as I have heard, did he raise his voice in protest against them. The gentleman from Maine [Mr. POWERS], into whose face I now look, has been for years a member of the Committee on Territories. Only four years ago he was on the subcommittee and assisted in preparing the bill admitting Oklahoma, New Mexico, and Arizona all three to separate statehood. He is now prepared to denounce as treason that which he himself assisted in reporting and passing only a few years ago. Indeed, the distinguished chairman of the Committee on Territories [Mr. HAMILTON] was a member of that committee in the Fifty-seventh Congress when the bill making States of these Territories was passed, and neither in committee nor in the House did he oppose it. I observe that the gentleman smiles. The gentleman from Ohio [Mr. GROSVENOR] frequently boasts that he is not consistent. I presume the gentleman from Michigan is one of his disciples.

Mr. HAMILTON. I do not suppose the gentleman wants me

to interrupt him, but in fairness to myself I would like to say—

Mr. BEALL of Texas. I do not object to interruptions.

Mr. HAMILTON. I only want to say this to my friend from Texas. I never voted for the bill in committee. I never voted for it on the floor of the House; never voted to report it out of committee, and never had anything to do with the bill.

Mr. BEALL of Texas. I think it would have been infinitely better for Arizona and New Mexico if the gentleman from Michigan had continued in his policy of doing nothing. [Laughter and applause on the Democratic side.]

Mr. Chairman, you will observe that Senator FORAKER, in the paragraphs I have quoted, refers to the "new light" which gentlemen have seen, causing them to reverse themselves upon this great question. From whence did this "light" come? Not from any change for the worse in the condition of these Territories, because both Arizona and New Mexico are infinitely better prepared for statehood than they were when Republicans voted to admit them. It must be a partisan "light," because it was never a partisan question until this new "light" broke in upon the President and the Speaker. It must be a sectional "light," because it was never a sectional question until now. The Standard Oil trust and other great combinations, which have found in the East a congenial soil and which find in the West and South the only remaining obstacles to their complete mastery of the American people, may, perhaps, supply this new "light."

The Democratic record upon this matter has been consistent throughout. In its platforms it has declared in favor of separate statehood for these Territories, and in both Senate and House throughout all the long period of time this question has been pending the Democrats have done their utmost to secure the admission of these Territories.

Mr. Chairman, the Democratic belief now is not only that New Mexico and Arizona should be admitted as separate States, but that Oklahoma and Indian Territory are likewise entitled to separate statehood, and we would so vote if we could do so without sacrificing their chance for statehood in some form. We believe each is large enough for a State. In area Oklahoma contains 39,030 square miles, and Indian Territory 31,000. Oklahoma alone is as large as Ohio, and the Indian Territory is much larger than West Virginia and about the size of Indiana. Each has a population more than twice that of any other State when admitted into the Union. Each now has a population greater than that of sixteen other States. No other State when admitted has ever approached either of these in resources and wealth. Their climate is delightful; their soil is most productive; their rainfall abundant. They have coal and iron and oil. They have magnificent cities springing up on every hand. They have churches and schoolhouses and colleges and universities that would do credit to any State in the Union. They have an intelligent, refined, and patriotic people, worthy of the right to work out their separate destiny in their own time and way and worthy to wear the diadem of statehood.

Mr. Chairman, I believe that in honesty and good morals the Indian Territory should be admitted to separate statehood. It is a pitiable sight to see an individual forget his honor or break his faith with his fellow-man, but it is infinitely worse to see a great government do so. The act of the individual may affect only himself, but an act of dishonor of our Government puts the stain upon every citizen. To me there is something unspeakably pathetic in the history of the Indian tribes now living in the Indian Territory. Many years ago their homes and hunting grounds were in the great forests east of the Mississippi River. They were there before the white man came there. There came a time when the white man wanted these lands. The white man and the Indian could not occupy them together in peace. The white man said the Indians must abandon them. The white man's Government—our Government—entered into the controversy. It looked westward, far beyond the border land of civilization as it then existed, and beheld a land of prairie and of forest, of rugged hills and peaceful valleys, of genial climate and fertile soil, where game was plentiful, and our Government said to these Indians: "If you will abandon your lands, which the white men covet; if you will forsake the forests that have been your home; if you will leave the ashes of your dead behind you, we will give you this new land, a land which shall be yours and your children's 'so long as fire burns and water runs.'" The Indians believed the "Great White Father at Washington" and entered into treaties with the United States, relinquishing their lands east of the Mississippi and receiving in exchange the lands embraced in what is now almost the whole of Oklahoma and Indian Territory. Not only this, but this Government made a most solemn pledge to them

that this Territory should never be embraced in or annexed to any other Territory or State. I quote from some of the treaties made at this time with some of these Indian tribes. The treaty with the Cherokees contained this provision:

The United States hereby covenants and agrees that the lands ceded to the Cherokee Nation in the foregoing article shall, in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory.

The treaty with the Creeks and Seminoles provided this:

The United States do hereby solemnly agree and bind themselves that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement shall ever be embraced or included within or annexed to any Territory or State, nor shall either or any part of either ever be erected into a Territory without the free and full consent of the legislative authority of the tribe owning the same.

Article 4 of the Chickasaw and Choctaw treaty was as follows:

The Government and people of the United States are hereby obliged to secure to the said Choctaw Nation of red people the jurisdiction and government of all the persons and property that may be within their limits west, so that no Territory or State shall ever have a right to pass laws for the government of the Choctaw Nation of red people and their descendants, and that no part of the land granted them shall ever be embraced in any Territory or State.

In 1871 the Government ceased to recognize these Indian tribes as independent nations, but it was with the express stipulation that all treaties made with them prior to that time should be sacredly observed. The following language occurs in the act of 1871:

No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such nation or tribe prior to March 3, 1871, shall hereby be invalidated or impaired.

The years rolled on. The time came when the greedy, grasping, all-conquering spirit of the white man demanded that the Indian give up some portions of that which the Government said should be his forever. In Congress the organization of the Territory of Oklahoma was attempted. It took years to overcome the scruples of Congress against breaking a solemn treaty with the Indian tribes. Old Dave Culberson, of precious memory in Texas and in this House, protested against it as an act of bad faith. In another Congress Hon. Thomas B. Reed joined in a minority report in which this language was used:

The conclusions arrived at by your committee are: First, that the bill under consideration conflicts with existing treaty stipulations; second, that while the right to decide in a last resort that a treaty is no longer binding is undoubtedly lodged in Congress, the exercise of that right is a judicial act affecting the honor and dignity of the nation, requiring for its justification reasons which commend themselves to the principles of equity and good conscience, particularly where the parties to the compact with the United States are weak and powerless and depend solely on the good faith of the Government; third, that no such reasons exist for violating the treaty stipulations which reserve the Indian Territory exclusively for the Indians, and which secures to the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles the right of self-government under the restrictions of the United States Constitution.

It seems that you may as easily stay the tides of the ocean as to stay the Anglo-Saxon lust for land when it is once aroused. Oklahoma became a Territory, and from time to time other portions of the Indian Territory were added until now less than one-half of its original area remains. The influences operating to take from the Indian the control and ownership of this Territory given to him and to his forever by solemn treaty have been moving resistlessly on. His lands have been divided and parceled out under conditions that make certain the white man's ultimate ownership of it, and on March 4 of this year the tribal governments, the last link of the chain that bound them together as peoples and nations and that connects them with a past that is not without its glories, will be dissolved. Back in their cabins in the mountains, whither they have been driven by the encroachments of the white man, the few thousand full bloods of these tribes of Indians remaining will sit and weep in silent anguish over the death in a single day of their Five Nations.

And now, without their consent and even against their earnest protest, and forgetful of our solemn promise not to do so, it is proposed to merge them with another people and with another Territory and admit them to statehood as a part of Oklahoma.

Mr. Chairman, we know how useless it is to protest against this wrong. We know how intolerable the present condition in the Indian Territory is, and we know how earnestly the white people desire statehood and how they have despaired of ever securing this blessing except in connection with Oklahoma. We know that in their desperation they are anxious for statehood upon any conditions. Because the one and one-half millions of people in Oklahoma and Indian Territory need statehood so badly and can not secure it upon any other terms, every Demo-

crat in this House is willing to vote for the admission of these Territories as the State of Oklahoma.

But, Mr. Chairman, while we have been driven by necessity to agree to the union of Oklahoma and Indian Territory in opposition to our view of what is right and what is just to them, we are unalterably opposed to the union of New Mexico and Arizona. We are reluctantly agreeing to the union of Oklahoma and Indian Territory, because it has been made clear to us that the great majority of the people of these Territories favor this union as the only feasible plan of securing statehood and because it would be a greater crime to longer deny them the right of self-government. For the same reason, because, as we believe, the people of Arizona are unalterably opposed to union with New Mexico and the people of New Mexico are opposed to the union with Arizona, we protest against the passage of this bill.

Mr. Chairman, there were thirteen States originally. There are forty-five States now. Congress has been called upon thirty-two times to perform one of the highest functions it possesses, that of lifting out of the slough of dependence the people of a defined territory and planting them upon the high, firm ground of equality granted to the States—to perform the great function of changing those who merely belong to the United States into those who are citizens of the United States. The responsibility that accompanies the exercise of this power is also great. States are made not for to-day, to-morrow, or next year, but for all time. We may legislate amiss upon questions of finance or matters of trade and the evil effects are but transient. We may for the moment be misled by passion and strife, but reason will return. The glamour of world power and the imagined glories of conquest may tempt us from our ancient landmarks, but there is chance to face about and retrieve the wrong; but when grouping in the dark night of partisanship this Congress inflicts a wrong upon the people of New Mexico and Arizona by joining them against their will, you commit a crime that all the ages can not repair.

In the admission of the thirty-two States already admitted all the territory capable of forming States has been exhausted except that embraced in the territory included in this bill. Now, when you are dealing with the last of the Territories, why should we depart from the rules that have prevailed for more than a century?

Mr. Chairman, in times past whenever any Territory has applied for admission as a State three general propositions have been considered in determining her right of admission. One was area. Was the proposed State large enough? Another was wealth. Did the proposed State have sufficient property subject to taxation to enable her to maintain a proper State government without it being too great a burden upon her citizenship? The third consideration was population. Did the proposed State have a sufficient population? I submit that measured by these same tests that have been applied to every other State that has been admitted both New Mexico and Arizona are now and have long been entitled to admission as States.

It is surely not necessary to argue that in area each of them is entitled to associate upon terms of equality with Rhode Island and the other New England States or with the States of any other section. Arizona has in round numbers 114,000 square miles, while New Mexico has 121,000. Arizona, the smaller of the two, is larger than New York and Pennsylvania, with New Jersey, New Hampshire, and Delaware thrown in. It is more than twice the size of Illinois, nine and one-half times as large as Maryland, twelve times as large as Vermont, thirteen times as large as Massachusetts, fourteen times as large as New Jersey, twenty times as large as Connecticut, fifty-five times as large as Delaware, ninety-one times as large as Rhode Island. It is as large as Indiana, Ohio, and Virginia combined.

Mr. POWERS. How many could you make of Alaska?

Mr. BEALL of Texas. You could make a great number, of course. But you can make out of Arizona three States the size of your State of Maine.

Mr. JOHNSON. Four.

Mr. BEALL of Texas. No; three, but with enough territory over to make two or three other New England States.

So it can hardly be claimed that either of these Territories is wanting in sufficient area. Have they sufficient wealth to properly support and maintain a State government? The wealth of Arizona has been estimated to be about \$400,000,000. She has almost 2,000 miles of railroad within her borders. This railroad mileage is worth four times the value of all the property in Ohio, Indiana, or Michigan when these States were admitted. Its mines yielded in one year—last year—\$30,000,000, which is double the value of all the property of some of the States when admitted. It is the third copper-producing district in the Union and will soon be first. There are twenty-nine banks in Arizona, with resources of more than \$11,500,000. She

has the largest unbroken forest in the world, with an area in excess of 6,000 square miles and with timber reserves of more than 7,000,000 acres. It has hundreds of thousands of acres of land that a few years ago were a part of the desert that have felt the vivifying touch of irrigation and are now producing in marvelous abundance. She has an educational system of which she may well be proud. In her American population there is comparatively no illiteracy. She has a compulsory system of education, with 22,000 children filling her school rooms. She pays the highest salary to her teachers, and has in her schools a larger per cent of college-bred teachers than any State in the Union. She has her system of high schools, two normal schools, and a Territorial university.

She has her asylum for the unfortunate and her penitentiary for her vicious. She has a splendid capitol and other public buildings. Her bonds are selling above par in the market places. She collected in taxes last year \$675,504.85, and expended \$593,071.48. All this development has occurred and all these things have been accomplished while she has been fettered and oppressed by her dependent position as a Territory. If given the prestige of statehood and the advantage that will result, who can forecast what her development will be during the next decade?

Is New Mexico rich enough for separate statehood? The assessed value of her property is \$40,000,000, while its real value is nearly \$400,000,000. She has nearly 3,000 miles of railway, more than many of the present States. Her farms are worth \$75,000,000. She has 32 banks, with resources of nearly \$10,000,000. She has produced many millions of gold and silver. She has a million and a half acres of coal land and an amount of coal in sight worth \$10,000,000. She has one and a half million of cattle and nearly 6,000,000 head of sheep. In four years 737 corporations, with a capitalization of \$413,884,866, were organized to develop the great resources of this Territory. In four years insurance companies wrote, in New Mexico, policies aggregating \$66,511,000. She maintains 15 Territorial institutions, whose buildings and grounds are valued at \$2,200,000. She has school property of the value of \$2,071,000. In three years she has expended for her public schools \$1,168,224. She has a school population of 75,000, with 54,000 in attendance. She has 225 churches. She has institutions for the insane, the blind, and the deaf and dumb. She maintains now a normal school and a normal university. She has a military institute, an agricultural and mechanical college, a school of mines, and a Territorial university, all under Territorial control, and all well equipped and well patronized.

With all this array of facts before us, all attesting the intellectual and moral development of these Territories, and all evidencing the marvelous material prosperity they are enjoying, who can say that these people are not now thoroughly equipped for statehood?

Has each of these Territories a sufficient population to justify statehood? Let us examine this proposition in the light of rules that have been applied in the past. Congress has heretofore adopted two rules to govern the admission of Territories into statehood, so far as population is concerned. The ordinance of 1787 fixed the conditions upon which States might be carved out of the Northwest Territory, which Virginia and others had so generously surrendered. After this ordinance had provided for the future division of this Territory into not less than three and not more than five States, and had fixed the boundary of three of them, namely, Ohio, Indiana, and Illinois, it contained this provision:

And whenever any of the said States shall have 60,000 free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government: *Provided*, The constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period and when there may be a less number of free inhabitants in the State than 60,000.

This ordinance was afterwards extended so as to apply to the territory south of the Ohio River and later to Oregon. Under its authority Ohio, Indiana, Illinois, Michigan, Wisconsin, Kentucky, Tennessee, Alabama, Mississippi, and Oregon were admitted. Under this ordinance it was conceded that when a Territory attained a population of 60,000 free people it had a right to demand immediate admission. Tennessee was the first to apply for admission under authority of this ordinance. She proceeded, without any enabling act from Congress authorizing it, to hold a convention in which she framed a constitution, and then she chose a legislature and elected her Senators and Members of Congress. She notified Congress of her action and advised that upon a certain day her Territorial government established by Congress would cease and she would take her

place as a State. She took her own census and notified Congress that she had 54,000 whites and 6,000 free negroes. George Washington transmitted this constitution to Congress with the following message:

Gentlemen of the Senate and House of Representatives: By an act of Congress passed on the 26th of May, 1790, it was declared that the inhabitants of the territory of the United States south of the river Ohio should enjoy all the privileges, benefits, and advantages set forth in the ordinance of Congress for the government of the territory of the United States northwest of the river Ohio; and that the government of said territory south of the Ohio should be similar to that which was then exercised in the territory northwest of the Ohio, except so far as was otherwise provided in the conditions expressed in an act of Congress passed the 2d of April, 1790, entitled "An act to accept a cession of the claims of the State of North Carolina to a certain district of western territory."

Among the privileges, benefits, and advantages thus secured to the inhabitants of the territory south of the river Ohio appear to be the right of forming a permanent constitution and State government, and of admission as a State by its delegates into the Congress of the United States on an equal footing with the original States in all respects whatever when it should have therein 60,000 free inhabitants: *Provided*, The constitution and government so to be formed should be republican and in conformity to the principles contained in the article of the said ordinance.

As proofs of the several requisites to entitle the territory south of the river Ohio to be admitted as a State into the Union, Governor Blount has transmitted the return of the enumeration of its inhabitants and a printed copy of the constitution and form of government on which they have agreed, which, with letters accompanying the same, are herewith laid before Congress. (United States, April 8, 1796. G. Washington.)

Tennessee did not come as a supplicant begging for admission. She came demanding it as a right, because she had the requisite 60,000 of population.

But under this ordinance a population of 60,000 was not essential to admission into statehood. It provided: "And, so far as it can be consistent with the general interest of the Confederacy, such admission shall be allowed at an earlier period and when there may be a less number of free inhabitants in the State than 60,000."

Under the authority of this last proviso Ohio was admitted in 1802 with a population of 45,000, and Illinois in 1818 with a population of 55,000.

It will thus be seen that the ordinance of 1787 provided not that there must be 60,000 people for a State, but that there must be a State for 60,000 people, leaving Congress free to create a State for a Territory having less than that number of people if it was deemed advisable to do so.

Now, what was the other rule that Congress has prescribed upon this subject? By the treaty of 1803 the territory of Louisiana was purchased by Mr. Jefferson, and out of this a number of States have been carved. In this treaty the following language occurs:

The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and in the meantime they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

In 1819 a treaty was made with Spain under which Florida was ceded to the United States. This treaty contained the following:

The inhabitants of the territories which His Catholic Majesty cedes to the United States by this treaty shall be incorporated in the Union of the United States as soon as may be consistent with the principles of the Federal Constitution and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States.

In 1848 the treaty of Guadalupe Hidalgo, under which a great area, including New Mexico and Arizona, was ceded to the United States, was made, and this treaty contains the following:

The Mexicans who, in the territories aforesaid, shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution.

I have quoted the provisions of these several treaties to show that in each of them it was contemplated that the territory secured should at the earliest practicable moment be carved into States. The language in each was a covenant and promise that this would be done. In one it was stipulated that the people should be "admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States," and substantially the same language was used in the other treaties.

Arkansas was the first of this territory to seek admittance as a State, and it was necessary for Congress to interpret the meaning of the phrase, "according to the principles of the Federal Constitution." After protracted discussion it was agreed that it meant that when a people in an area called a

"Territory" reached the point in population where this population was equal to the number of people required for a Congressional district in a State, then that they should be admitted as a State.

Under the ordinance of 1787, while a Territory had a right to demand admission as a State when its population reached 60,000, yet such Territory could be properly admitted by Congress when it had a much smaller population, and likewise Congress interpreted the provisions in these treaties to mean that while a Territory could demand admission into the Union as a matter of right when its population was equal to the unit of representation in Congress, yet Congress could admit such Territory when its population was far below the point named. The instances of such admission when the population was far below the unit of representation prevailing at such time are numerous. Florida when admitted had a population of 54,000, when the basis of representation was 70,000; Oregon came in with 52,000 people, when the unit was 93,000. Nevada was admitted in 1864 by the Republican party for partisan purposes, with a population of only 6,800 at the preceding census, when the unit of representation was 127,000; and in 1866 both Houses of Congress passed a bill admitting Colorado when her population was less than 30,000, when the basis of representation was 127,000. The next year Nebraska was admitted when her population was only 60,000. I call attention to the fact that all the territory that came to us as a result of the three great treaties named has been carved into States except that embraced in this bill. With respect to all the balance the rule I have been referring to was the only one applied; but now, when the last of all the Territories are seeking admittance, Republicans demand a new rule and a severer test than have ever been applied to any other people. The same party that admitted Nevada in 1864, when in 1860 her population was less than 7,000, to serve a mean partisan purpose, does not hesitate now to serve a purpose equally mean and sectional by refusing admission to Arizona with her 180,000 people and to New Mexico with her 300,000 people unless they agree to come in together.

We oppose the union of New Mexico and Arizona because New Mexico, if a free expression of her will could be secured, opposes the union. She feels that she is entitled to separate admission. More than fifty years ago she adopted a constitution, elected her Senators and a Member of Congress, and hand in hand with California sought admission. California was admitted and New Mexico was rejected, though both came supported by the solemn treaty obligation that they should be admitted. For fifty years with patient earnestness she has waited and waited for the fruition of her hopes. She has built up her own institutions, maintained her own civilization, and wrought out her own destiny, and now it is proposed to destroy her identity and her very name. She protests against it; protests against the violation of public faith, and protests to the President against the violation of the promise he voluntarily made her. At Las Vegas, in 1899, in the course of a speech, President Roosevelt said:

All I shall say is that if New Mexico wants to be a State you can count me in, and I will go to Washington to speak for you or do anything you wish.

The President has not kept that promise.

We oppose this union because Arizona opposes it. She opposes it, because for almost fifty years she has been led to believe that she would ultimately receive in fullest measure the blessings of statehood.

Mr. HAMILTON. Will the gentleman permit just one more interruption?

Mr. BEALL of Texas. Certainly.

Mr. HAMILTON. In reference to the statehood of Arizona I want to call the gentleman's attention to this language of the act of February 4, 1863, organizing the Territory of Arizona and separating it from New Mexico:

Provided, That nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said Territory or changing its boundaries in such manner and at such times as it may deem proper.

Mr. BEALL of Texas. I am entirely familiar with that provision, but there is another provision in that same act creating the Territory of Arizona, which the gentleman does not read, which gave those people a solemn promise that they should finally be admitted as a State. [Applause.] If gentlemen desire to be fair in their discussion of this question, let them submit all the facts, omitting none.

Mr. HAMILTON. In fairness to both of us I will quote the language of the statute.

Mr. BEALL of Texas. I have it here, and will read it for the benefit of the House. Speaking of the government of Arizona, it says:

That said government shall be maintained and continued until such time as the people residing in such Territory shall have the consent of

Congress to form a State government, republican in form, as prescribed by the Constitution of the United States, and apply for and obtain admission into the Union as a State.

The people of Arizona have believed that this obligation meant something. They have recognized that Congress reserved the right to divide her territory if it should be considered too large, but they have never recognized the right of Congress to merge her with a Territory still larger. They have conceded that Congress has the right to change her boundary lines, but they have never believed that Congress would blot out the line of division made when she was separated from New Mexico. For more than forty years Arizona and New Mexico have walked apart, each working out its destiny in its own peculiar way. Their customs and habits, their hopes and ambitions, their language and religion, their history and their traditions have all been different, and the conditions that required their separation more than a generation ago still require it now. The God of nature and of nations decreed that they should live apart. The great continental divide of mountains has created a mighty barrier between them that the puny hand of Congress can not destroy. People of the western counties of New Mexico and people of the eastern part of Arizona, though near together, when measured by miles are yet as far apart as though an uncharted ocean rolled between them.

It has never been the policy to unite two political divisions into one in order to create a State. Why should it be done now? Territories, and even States, have been divided, but never two united. Vermont separated herself from New York before the Constitution was adopted. For political purposes Maine was created out of the larger part of Massachusetts. When Texas was admitted it was upon condition that she might make of herself five separate States. While the passions of war were rife the Republican party laid its cruel hand upon Virginia, the dear old mother of so many States, and tore from her side the State of West Virginia. Out of Dakota two States, North and South Dakota, were formed. The rule has always been that of division, not addition; separation of one into two political divisions, not the combination of two into one.

But gentlemen from the East say that these Territories are barren, desolate, and unproductive for the most part, and can never separately become worthy to wear the crowns of statehood. New England has prophesied before. If the Government should do no more for New England than it has done for these Territories a great part of New England would become barren and unproductive waste.

In 1811, when Congress was considering the question of admitting some of the territory purchased from France by Mr. Jefferson as a State into the Union, Mr. Josiah Quincy said:

If this bill passes it is virtually a dissolution of the Union. It will free the States from their moral obligations and, as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation—amicably if they can, violently if they must.

This first threat of secession was made by a Member from Massachusetts. And for what reason? Because Congress was preparing to admit into the Union some of the great West. Mr. Chairman, without the great West, which New England so despised, to feed and clothe her New England would be hungry and shivering to-day and her cities would be silent in the stagnation of death. That great West has been the brawn and muscle, the heart and brains of this nation. In peace it has made her prosperity the marvel of the world, and in war it preserved her from dissolution and death. Without the Lincoln of the West, the Grant of the West, the Sherman of the West, and the legions upon legions of soldiers from the West who marched to the music of the Union, the men who followed the strains of Dixie would have knocked at the gates of every city in the Eastern and Middle States and would have swept their armies off the field of battle.

When California sought admission, men from the East, among whom was Webster, said that a large portion of it was destined to remain a desert. The strong and rugged men of that State have answered the charge by making that very portion of California by far the richest of all. The "wise men of the East" once called a great part of the country west of the Mississippi River "the Great American Desert." That "Great American Desert" lives only in memory now. Men have waged war with the desert and have made it yield abundant harvests. West of the Mississippi River two-thirds of the area of this country is located, and toward this section the great tides of population and development are flowing. Under present conditions a comparatively small part of this country is controlling its legislation, while that controlling portion is itself controlled by the basest influences in American politics. While this condition prevails it is not surprising that a few are favored while the many are forgotten. This is the last opportunity that will ever exist to correct some of these inequalities of representa-

tion in the United State Senate, to escape in some degree from the dominion and control of those who believe that the world is bounded on the east by Cape Cod and on the west by the Alleghany Mountains.

We oppose this bill because, considering their rough and mountainous character, the union of New Mexico and Arizona will make a State of unwieldy proportions. Communication between its different parts will be too difficult and too expensive. The two combined will make a State containing 235,000 square miles. It will be as large as all of the New England States with New York, Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, and Indiana added. From portions of Arizona to the proposed capital is as far as from Washington to Boston, or from Iowa to New York. It will be larger than the whole of France by 28,000 square miles; 27,000 square miles larger than the entire German Empire in Europe; 88,000 square miles larger than Japan with the island of Formosa added; twice as large as Italy with 15,000 square miles over; 40,000 square miles larger than Spain. It will be six times as large as Portugal; 63,000 square miles larger than Sweden; twenty times as large as Belgium; ten times as large as Greece; fifteen times as large as Denmark; four and a half times as large as England; eight times as large as Scotland; seven times as large as Ireland, and twice as large as the entire United Kingdom.

This proposed State will be twenty-five times larger than Vermont; twenty-five times larger than New Jersey; thirty times larger than Massachusetts; sixty times larger than Connecticut; one hundred and seventeen times larger than Delaware, and one hundred and eighty-eight times larger than Rhode Island. It is even several times larger than the State of the gentleman from Maine [Mr. POWERS].

Mr. KLEPPER. You could make five States the size of Maine out of Texas.

Mr. BEALL of Texas. Why, my dear sir, you have but a poor conception of the size of Texas. Instead of five you could make about eight. In fact, Texas would have to "spread herself" but just a little to make five States like Missouri. [Laughter.]

But, Mr. Chairman, references have constantly been made during this debate and in committee to the size of Texas and her refusal to permit herself to be divided. The conditions existing in Texas and that have always existed are so different from the conditions in New Mexico and Arizona that any argument based upon an attempted comparison must, of necessity, be faulty. Arizona and New Mexico might be fused into one great, prosperous, and harmonious State if conditions prevailed there like those in Texas—if they had a homogeneous people, alike in race and religion, with the same interests and industries, and the same memories and traditions. But this is not the case. Their people are unlike; their institutions are different; their religions are in conflict, and their interests clash.

It is not so with Texas. Before the white man came it was Texas then. It was Texas when, as a part of Mexico, it came out from under the dominion of Spain. It was our Texas that defied the rule of Mexico. It was our Texas that existed for ten years as a separate and independent republic. It was our Texas that came into the Union and afterwards linked her fortunes with the Confederacy and then came again into the Union. Amidst the shock of her revolution her flag bore a single star, and it blazes upon her flag now. The same threads run throughout all of her history, and these conditions have begotten a sentiment in Texas that makes division impossible. I observe that gentlemen smile at the thought of such a sentiment controlling a people upon so great a question, but so long as we exist as a people, venerating our institutions and honoring our past, such sentiments as I have named will thrill our hearts and ennoble our lives. [Loud applause.]

Mr. Chairman, upon every side we see some manifestation of the spirit to which I have alluded. The flag that hangs in graceful folds above your chair is but strips of silk that separate and apart mean nothing. Combine them and let the stars flash from a field of blue and you have the flag of our country, at the very sight of which our souls are filled with patriotic fervor. Let it be one tattered and torn by the strife of battle and we touch it reverently and kiss it tenderly, because there is a sentiment that hallows it.

A few days ago something occurred here with reference to the old ship *Constitution*. A great petition was presented against its destruction. What is that old ship that it should be preserved? It is but a dismantled and rotting mass of wood and iron. In the marts of trade, in the markets of the world, it would have but little intrinsic value. We could construct a vessel of equal value and send it out upon the deep to be destroyed by American guns and nobody would protest against it. But this is "*Old Ironsides*," that rode the waves amidst the thunder of battle a hundred years ago; the blood of dying men stained

and hallowed her decks, and when it is proposed to ruthlessly destroy her the voices of our living and the memories of our dead protest against it. [Applause.]

So it is with Texas. If area alone were considered, Texas could be divided. You could divide her forests and her prairies, her mountains and her valleys; but there are some things about Texas you can not divide. There is her Alamo—greater than the Thermopylae of old. The babes of Texas have been taught to lisp the names of Travis and Crockett and Bowie and the others who died there. The Alamo belongs alike to all, and no son of Texas would be so unworthy as to surrender his claim to it. There is Goliad and there is the field of San Jacinto. In dividing Texas could these battlefields be divided also and their glories parceled out to different States? There is the memory of Houston; of Austin; of Burleson; of Rusk; of Albert Sidney Johnston; of Roberts, the "Old Alcalde;" of Reagan, the "Grand Old Man," who loved Texas and who was beloved by Texas, and a great host of other illustrious ones. Can such memories be weighed and measured and apportioned to different sections? The soldiers who went from Texas homes mingled in the tumult of every great battle of the war between the blue and the gray, and they sleep upon every field from Gettysburg to the Gulf. Will anyone be found so base as to give up the memory of their deathless deeds?

No, Mr. Chairman, to give up any of these to one section would be to impoverish all others. They belong to Texas—to all of Texas, and not a part of Texas. They were given to us by the fathers, and we must hand them down to our children. They belonged to Texas in her weakness; they must still be hers in her strength. They comforted and blessed her in her night of sorrow; they must adorn her in her day of triumph. [Prolonged applause.]

Mr. HAMILTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. CRUMPACKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration, under the special order of the House, House bill 12707, and had come to no resolution thereon.

SELECTION OF JURORS IN OKLAHOMA.

Mr. BIRDSALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5289) to provide for the selection of grand and petit jurors for the district court in the Territory of Oklahoma.

Mr. MOON of Tennessee. Mr. Speaker, reserving the right to object—

Mr. CLAYTON. Mr. Speaker, may I interrupt the gentleman? This bill comes from the Judiciary Committee with a unanimous recommendation for its passage. It is very much needed in order that the laws of Oklahoma may be enforced. A decision of the court out there has set aside the present jury law, so that they have no law for the selection of jurors, and this bill is to provide a system for drawing grand and petit jurors for the trial of cases, and I hope the gentleman from Tennessee will not object.

Mr. MOON of Tennessee. I did not rise to object, but to get some information about the matter. If it is the unanimous report of the committee, I have no objection.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That until otherwise provided by the legislature of Oklahoma it shall be the duty of the judge of the district court in each judicial district of the Territory of Oklahoma to appoint in each county of his district two discreet, honorable, and reputable persons of opposite politics, and having the qualifications of jurors as prescribed by the laws of said Territory, and not interested in any cause, civil or criminal, pending in the district court of the county for which he is appointed, which two persons, together with the clerk of the district court, or his resident deputy, in such county, shall constitute a board of jury commissioners. Said commissioners shall meet at the office of the clerk of the district court upon the order of the judge of said court at least once each year, at such time as the judge shall designate, and after having taken and subscribed an oath that they will honestly, faithfully, and impartially discharge their duties as such jury commissioners, shall proceed to select from the names recorded upon the poll books of persons who voted in said county at the last preceding general election held for the election of county officers the names of not less than 300 nor more than 325 persons, having and possessing the qualifications of jurors as prescribed by the laws of said Territory of Oklahoma. Said names for jurors shall be apportioned to and selected from the several voting precincts in said county as near as practicable according to the voting population of each precinct. The board of jury commissioners shall make a list of said names, showing the election precinct from which each juror was selected, and shall certify to the same and file said list in the office of the clerk of the district court for the county for which said names were selected. The clerk shall record said list upon the journal of the court and certify to the cor-

rectness thereof. As soon as said list is completed and recorded the clerk of the district court shall forthwith write each of said names upon a separate slip of paper, which slips shall be of uniform size and color, and shall fold said slips and place them in a box provided with two locks and keys of different designs and securely lock the same, leaving no opening. When said box is closed and locked, the key of one lock shall be retained by the clerk and the other shall be delivered to and retained by the sheriff of the county. Prior to any term of court at which a grand or petit jury will be required the judge of the district court shall certify to the clerk of the district court the number of jurors that will be required for either a grand or a petit jury, and direct said jury to be drawn and summoned at such times as he shall direct. Upon receiving such order the clerk of the district court shall notify the sheriff of the time of the drawing of such jury, and the sheriff or one of his deputies, and the clerk of the district court or one of his deputies, shall take said box containing the names of the jurors so selected and thoroughly shake the same. They shall then together, in the presence of each other, open said jury box, and after placing the same in a position that neither can see into it, shall draw therefrom alternately one name at a time and record the same until the number of jurors have been drawn required in the order of the judge, which may be not to exceed thirty persons from which to select a grand jury and not to exceed forty persons from which to select a petit jury. As soon as said jurors are drawn and the names recorded, the slips shall be destroyed and the box securely locked and retained in the custody of the clerk, one key being retained by the sheriff. Upon the completion of such drawing the clerk shall issue separate venirens for the grand and petit jurors, returnable at such time as the judge shall in his order direct. The first names drawn to the number stated in the judge's order shall be summoned as grand jurors, and the grand jury shall be empaneled from said persons: *Provided*, That additional and other drawings may be had at such times as the court or judge may order for the completion of the panel of either the grand or petit jury, or for the empaneling of a new grand jury during any term of court, if, in the judgment of the court, the same shall become necessary, or if, for any cause, the court, in its discretion, shall deem other jurors necessary. The court may excuse or discharge any person drawn and summoned as a grand or petit juror whenever, in the discretion of the court, such action may be deemed expedient: *Provided further*, That at any time during a term of court after a petit jury has been drawn and summoned in the manner as herein provided, when for the trial of any cause, civil or criminal, the regular panel of jurors shall appear to be insufficient, the jury may be completed from talesmen or the court may direct that an open venire issue to the marshal or sheriff for such number of jurors as may be deemed necessary to be selected from the body or any portion of the county.

SEC. 2. That the commissioners shall each receive as compensation for his services the sum of \$10 per day for each day actually and necessarily employed in the discharge of their duties, to be paid upon the order of the judge of the district court, either by the United States or the county, as the judge in his order shall direct. The venirens for juries, grand or petit, may be served by either the United States marshal or the sheriff of the county, as the court or judge shall order.

SEC. 3. That all laws of the Territory of Oklahoma inconsistent with the provisions of this act are hereby repealed.

The following amendments, recommended by the committee, were read:

Insert after the word "That," in the third line on page 1, the words "until otherwise provided by the legislature of Oklahoma."

Strike all after the word "select," in line 4 on page 2, down to and including the word "officers," in line 7 on page 2.

Insert after the word "county," in line 23 on page 4, the following: "And provided further, The probate judges of the several counties may order a jury drawn in like manner from said jury box for any term of the probate court or for the trial of any cause in said court wherein a jury is authorized by the laws of Oklahoma to be drawn from such box."

Insert after the word "duties," in line 2 on page 5, the words "the time necessarily employed to be determined by the judge and."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. BIRDSALL, a motion to reconsider the last vote was laid on the table.

CHANGE OF REFERENCE.

By unanimous consent, change of reference was made of the bill (H. R. 64) making an appropriation for the administration and improvement of the Mount Rainier National Park, in the State of Washington, from the Committee on the Public Lands to the Committee on Appropriations.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 87. Joint resolution to authorize use of transport *Sumner* to convey members of Santiago Battlefield Commission and others to Cuba and return.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. GOEBEL was given leave to withdraw from the files of the House, without leaving copies, papers in the case of bill H. R. 5649 (granting a pension to Martha Kates), first session Fifty-ninth Congress, no adverse report having been made thereon.

Also, to Mr. GOEBEL, to withdraw from the files of the House, without leaving copies, papers in the case of bill H. R. 5648 (granting an increase of pension to William Hand), first session Fifty-ninth Congress, no adverse report having been made thereon.

HOOR OF MEETING.

Mr. HAMILTON. Mr. Speaker, in view of the fact that there are a number of requests for time to speak upon the statehood bill, I ask unanimous consent that the House come in to-morrow at 11 o'clock instead of 12 o'clock.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the House meet to-morrow at 11 o'clock instead of 12 o'clock. Is there objection?

There was no objection.

Mr. HAMILTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending an appropriation for equipment of the new public building at Seattle, Wash.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting, with recommendation, a draft of a bill relating to the custody and control of certain buildings at Perry and Kingfisher, Okla.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an additional estimate of appropriation for the Southern Branch of the National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for third secretary of embassy to Japan—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BRANTLEY, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 12843) to amend the seventh section of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, reported the same without amendment, accompanied by a report (No. 542); which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10129) to amend section 5501 of the Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 545); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LEE, from the Committee on War Claims, to which was referred the bill of the House H. R. 7641, reported in lieu thereof a resolution (H. Res. 183) referring to the Court of Claims the papers in the case of James N. Richards, accompanied by a report (No. 533); which said resolution and report were referred to the Private Calendar.

Mr. FULKERSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 7645, reported in lieu thereof a resolution (H. Res. 184) referring to the Court of Claims the papers in the case of the estate of John Williams, deceased, accompanied by a report (No. 534); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 11901, reported in lieu thereof a resolution (H. Res. 185) referring to the Court of Claims the papers in the case of the estate of D. L. Pritchard, deceased, accom-

panied by a report (No. 535); which said resolution and report were referred to the Private Calendar.

Mr. PATTERSON of South Carolina, from the Committee on War Claims, to which was referred the bill of the House H. R. 8260, reported in lieu thereof a resolution (H. Res. 186) referring to the Court of Claims the papers in the case of the legal representatives of J. H. Brantly, deceased, accompanied by a report (No. 536); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 9559, reported in lieu thereof a resolution (H. Res. 187) referring to the Court of Claims the papers in the case of Mrs. Sarah C. Bryan, accompanied by a report (No. 537); which said resolution and report were referred to the Private Calendar.

Mr. LEE, from the Committee on War Claims, to which was referred the bill of the House H. R. 6438, reported in lieu thereof a resolution (H. Res. 188) referring to the Court of Claims the papers in the case of Joel Cross, accompanied by a report (No. 538); which said resolution and report were referred to the Private Calendar.

Mr. CLAYTON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1276, reported in lieu thereof a resolution (H. Res. 189) referring to the Court of Claims the papers in the case of Mrs. L. E. Boatwright, accompanied by a report (No. 539); which said resolution and report were referred to the Private Calendar.

Mr. FULKERSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 3975, reported in lieu thereof a resolution (H. Res. 190) referring to the Court of Claims the papers in the case of M. F. Thomas, accompanied by a report (No. 540); which said resolution and report were referred to the Private Calendar.

Mr. LEE, from the Committee on War Claims, to which was referred the bill of the House H. R. 5923, reported in lieu thereof a resolution (H. Res. 191) referring to the Court of Claims the papers in the case of M. J. Conley, heir of Harmon Conley, deceased, accompanied by a report (No. 541); which said resolution and report were referred to the Private Calendar.

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 12560) for the relief of John C. Lynch, reported the same without amendment, accompanied by a report (No. 543); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. PATTERSON of South Carolina, from the Committee on War Claims, to which was referred the bill of the House (H. R. 9992) for the relief of John Beasley, of Rhea County, Tenn., reported the same adversely, accompanied by a report (No. 527); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 8211) for the relief of the estate of H. S. Simmons, deceased, reported the same adversely, accompanied by a report (No. 528); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 8476) for the relief of Mrs. R. N. Pharr and Mrs. H. B. Fant, reported the same adversely, accompanied by a report (No. 529); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 8261) for the relief of the legal representatives of Nalote Biraghi, reported the same adversely, accompanied by a report (No. 530); which said bill and report were ordered laid on the table.

Mr. FULKERSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7644) for the relief of the estate of C. H. Medlin, deceased, late of Crockett County, Tenn., reported the same adversely, accompanied by a report (No. 531); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 7638) for the relief of Mathew Williams, reported the same adversely, accompanied by a report (No. 532); which said bill and report were ordered laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BEIDLER: A bill (H. R. 12972) making appropri-

tions to supply deficiencies in the appropriations for the fiscal year ending June 30, 1906, and for prior years, and for other purposes—to the Committee on Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 12973) to prohibit the coming of Chinese laborers into the United States, and for other purposes—to the Committee on Foreign Affairs.

By Mr. MUDD: A bill (H. R. 12974) to authorize the Washington, Spa Spring and Greta Railroad Company, of Prince George County, to extend its street railway into the District of Columbia—to the Committee on the District of Columbia.

By Mr. HAYES: A bill (H. R. 12975) making an appropriation for the improvement of grounds within the Presidio Military Reservation, at San Francisco, Cal.—to the Committee on Appropriations.

By Mr. McCARTHY (by request): A bill (H. R. 12976) for the restoration of annuities to the Mdewakanton and Wahpakoota (Senate) Sioux Indians declared forfeited by the act of February 16, 1863—to the Committee on Indian Affairs.

By Mr. BUTLER of Tennessee: A bill (H. R. 12977) to provide for the erection of a public building at Carthage, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12978) to provide for the erection of a public building at Gallatin, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12979) to provide for the erection of a public building at Gallatin, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12980) to provide for the erection of a public building at Cookeville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12981) to provide for the erection of a public building at Gainesboro, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 12982) to provide for the erection of a public building at Dayton, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. TYNDALL: A bill (H. R. 12983) providing for the erection of a public building at Poplar Bluff, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 12984) authorizing a public building at Burlington, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. OLCOTT: A bill (H. R. 12985) making an appropriation for New York custom-house—to the Committee on Appropriations.

By Mr. GOULDEN: A bill (H. R. 12986) to provide for the proper lighting and repairs of the Statue of Liberty at Fort Wood, Bedloes Island, New York Harbor—to the Committee on Appropriations.

By Mr. HEPBURN: A bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG: A bill (H. R. 12988) to establish a life-saving station at or near Menominee, State of Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. WACHTER: A bill (H. R. 12989) for the erection of an addition to the post-office in the city of Baltimore, Md.—to the Committee on Appropriations.

By Mr. BROOKS of Colorado: A bill (H. R. 13085) to provide souvenir medallions for The Zebulon Montgomery Pike Monument Association—to the Committee on Coinage, Weights, and Measures.

By Mr. WEBB: A bill (H. R. 13086) requiring shippers and manufacturers of medicine for interstate shipment to label said medicine and print thereon the ingredients contained in such medicine—to the Committee on Interstate and Foreign Commerce.

By Mr. LEE, from the Committee on War Claims: A resolution (H. Res. 183) referring to the Court of Claims H. R. 7641—to the Private Calendar.

By Mr. FULKERSON: A resolution (H. Res. 184) referring to the Court of Claims H. R. 7645—to the Private Calendar.

Also, from the Committee on War Claims: A resolution (H. Res. 185) referring to the Court of Claims H. R. 11901—to the Private Calendar.

By Mr. PATTERSON of South Carolina, from the Committee on War Claims: A resolution (H. Res. 186) referring to the Court of Claims H. R. 8260—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 187) referring to the Court of Claims H. R. 9559—to the Private Calendar.

By Mr. LEE, from the Committee on War Claims: A reso-

lution (H. Res. 188) referring to the Court of Claims H. R. 6438—to the Private Calendar.

By Mr. CLAYTON, from the Committee on War Claims: A resolution (H. Res. 189) referring to the Court of Claims H. R. 1276—to the Private Calendar.

By Mr. FULKERSON, from the Committee on War Claims: A resolution (H. Res. 190) referring to the Court of Claims H. R. 3975—to the Private Calendar.

By Mr. LEE, from the Committee on War Claims: A resolution (H. Res. 191) referring to the Court of Claims H. R. 5923—to the Private Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 12990) granting an increase of pension to Elizabeth Criddle—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 12991) granting a pension to Christopher Buchanan—to the Committee on Invalid Pensions.

By Mr. BEDE: A bill (H. R. 12992) granting an increase of pension to Henry G. Klink—to the Committee on Invalid Pensions.

By Mr. BEIDLER: A bill (H. R. 12993) to correct the naval record of Alfred Burgess—to the Committee on Naval Affairs.

Also, a bill (H. R. 12994) granting a medal of honor or certificate of merit to Frederick Meng—to the Committee on Military Affairs.

By Mr. BISHOP: A bill (H. R. 12995) granting an increase of pension to Henry M. Kromer—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 12996) granting a pension to Eugene B. McDonald—to the Committee on Invalid Pensions.

By Mr. BUTLER of Tennessee: A bill (H. R. 12997) granting a pension to John S. Draper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12998) granting a pension to Ann Bart—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 12999) for the relief of the estate of William Keith—to the Committee on War Claims.

Also, a bill (H. R. 13000) for the relief of the estate of Jonathan H. Ellison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13001) for the relief of the estate of Solomon Kean—to the Committee on War Claims.

Also, a bill (H. R. 13002) for the relief of the estate of Wade Smith—to the Committee on War Claims.

Also, a bill (H. R. 13003) for the relief of the estate of Andrew Reece—to the Committee on War Claims.

By Mr. CHANEY: A bill (H. R. 13004) granting an increase of pension to John W. Risher—to the Committee on Invalid Pensions.

By Mr. DAVEY of Louisiana: A bill (H. R. 13005) granting an increase of pension to Robert R. Wilson—to the Committee on Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 13006) for the relief of Levi W. Stalnaker—to the Committee on War Claims.

Also, a bill (H. R. 13007) for the relief of the heirs of Abraham Parsons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13008) for the relief of the heirs of Elias W. Phares, deceased—to the Committee on War Claims.

By Mr. DRESSER: A bill (H. R. 13009) granting a pension to Clara T. Leathers—to the Committee on Pensions.

Also, a bill (H. R. 13010) granting an increase of pension to Alice B. Hartshorne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13011) appropriating money to pay William Tucker for services and expenses as acting captain and drillmaster of Company D, One hundred and fifth Regiment Pennsylvania Volunteers—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 13012) granting an increase of pension to C. L. Cole—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 13013) for the relief of the heirs of Matthias Price, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13014) granting an increase of pension to Humphrey N. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13015) granting an increase of pension to James Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13016) granting an increase of pension to John D. Reynolds—to the Committee on Invalid Pensions.

By Mr. FOSTER of Indiana: A bill (H. R. 13017) granting an increase of pension to Stephen A. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13018) granting an increase of pension to Joseph McCain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13019) granting an increase of pension to George Whitman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13020) granting an increase of pension to Gottlieb Frey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13021) to remove the charge of desertion from the military record of Henry Rucker—to the Committee on Military Affairs.

By Mr. GARBER: A bill (H. R. 13022) granting an increase of pension to Sarah L. Ghrist—to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 13023) for the relief of the heirs of William Henry Saddler—to the Committee on Claims.

Also, a bill (H. R. 13024) granting a pension to William J. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13025) granting an increase of pension to William H. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13026) granting an increase of pension to J. Bailey Orem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13027) granting an increase of pension to Susan H. Donaldson—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 13028) granting an increase of pension to Sarah E. Bennett—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 13029) granting an increase of pension to Betsey M. Potter—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 13030) granting an increase of pension to John C. Heney—to the Committee on Invalid Pensions.

By Mr. KENNEDY of Nebraska: A bill (H. R. 13031) granting an increase of pension to Thomas H. Leslie—to the Committee on Pensions.

By Mr. KINKAID: A bill (H. R. 13032) granting an increase of pension to Stewart McKeney—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 13033) granting an increase of pension to William A. Huff—to the Committee on Invalid Pensions.

By Mr. LAW: A bill (H. R. 13034) granting an increase of pension to Frederick Hildenbrand—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 13035) granting an increase of pension to Maggie D. Russ—to the Committee on Pensions.

By Mr. MCKINNEY: A bill (H. R. 13036) granting a pension to John Barry—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 13037) granting an increase of pension to Elizabeth Jane Kearney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13038) granting an increase of pension to Rebecca Ramsey—to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 13039) for the relief of Lina Hennig—to the Committee on Claims.

By Mr. MORRELL: A bill (H. R. 13040) for the relief of the persons who sustained damage by the explosion of detonating fuses at Frankford Arsenal, Philadelphia, Pa., of February 5, 1903—to the Committee on Claims.

By Mr. MUDD: A bill (H. R. 13041) for the relief of Richard H. Marshall—to the Committee on War Claims.

By Mr. OLMSTED: A bill (H. R. 13042) for the relief of Alexander C. Landis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13043) granting an increase of pension to Emeline Smink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13044) granting an increase of pension to Frank C. Gratz—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13045) granting an increase of pension to Henry Jacob Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13046) granting an increase of pension to W. H. Staubs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13047) granting an increase of pension to Walter Saunders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13048) to remove the charge of desertion from the record of Thomas Sedgwick—to the Committee on Military Affairs.

By Mr. SAMUEL: A bill (H. R. 13049) granting an increase of pension to William Gable—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 13050) granting an increase of pension to William G. Crockett—to the Committee on Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 13051) granting an increase of pension to J. P. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13052) to remove the charge of desertion against John Mervine—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 13053) granting a pension to Eli Bunting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13054) granting a pension to James M. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13055) granting a pension to Anna M. Kitchen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13056) granting a pension to Sarah B. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13057) granting an increase of pension to James S. Salsberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13058) granting an increase of pension to Thomas J. Baum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13059) granting an increase of pension to Kate O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13060) granting an increase of pension to Henry De Graff—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 13061) for the relief of W. M. McKie—to the Committee on War Claims.

Also, a bill (H. R. 13062) for the relief of the estate of Abner W. Lanier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13063) for the relief of the estate of Harriet W. Fleming, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13064) for the relief of the estate of Mark M. Harwell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13065) for the relief of the estate of Francis S. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13066) for the relief of the heirs of William Bailey, deceased—to the Committee on War Claims.

By Mr. THOMAS of Ohio: A bill (H. R. 13067) granting a pension to Hiram Roe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13068) granting an increase of pension to Esther Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13069) granting an increase of pension to Friend S. Esmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13070) granting an increase of pension to Marquis D. Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13071) for the relief of William C. Armstrong—to the Committee on Military Affairs.

By Mr. WEEKS: A bill (H. R. 13072) granting a pension to Laura S. Ware—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13073) granting an increase of pension to Elizabeth L. W. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13074) granting an increase of pension to Charles W. Arrand—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 13075) granting an increase of pension to Pard Lamoreux—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 13076) for the relief of Hosmer, Crampton & Hammond and others, and providing for the adjudication of certain claims by the Court of Claims—to the Committee on Claims.

By Mr. McKINLEY of Illinois: A bill (H. R. 13077) granting an increase of pension to James S. Prose—to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 13078) granting an increase of pension to Elizabeth F. Parten—to the Committee on Pensions.

Also, a bill (H. R. 13079) granting an increase of pension to James H. Griffin—to the Committee on Pensions.

Also, a bill (H. R. 13080) granting an increase of pension to Jesse A. B. Thorne—to the Committee on Pensions.

Also, a bill (H. R. 13081) granting an increase of pension to Orren R. Smith—to the Committee on Pensions.

Also, a bill (H. R. 13082) granting an increase of pension to Herbert Williams—to the Committee on Pensions.

Also, a bill (H. R. 13083) granting an increase of pension to Mordcai B. Borbee—to the Committee on Pensions.

Also, a bill (H. R. 13084) granting an increase of pension to William Dixon—to the Committee on Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5058) granting a pension to Bernard Sutton—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9216) granting an increase of pension to Cath-

erine R. Michell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12902) for the relief of Frank W. Tucker—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of C. H. Hampaugh, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the Commercial Club of the city of Albuquerque, N. Mex., for union statehood of New Mexico and Arizona—to the Committee on the Territories.

By Mr. ADAMS of Pennsylvania: Petition of the Clearing House Association of Banks of Philadelphia, relative to bank legislation—to the Committee on Banking and Currency.

By Mr. AIKEN: Petition of James P. Lattimer et al., for repeal of duty on hides—to the Committee on Ways and Means.

By Mr. BEDE: Paper to accompany bill for relief of H. G. Klink—to the Committee on Invalid Pensions.

By Mr. BEIDLER: Paper to accompany bill for relief of F. Meng—to the Committee on Military Affairs.

By Mr. BENNET of New York: Petition of Methodist Preachers' Association of New York City, against liquors for soldiers on Army transports—to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: Petition of Hall of Order of Railway Conductors, for bill H. R. 9328—to the Committee on the Judiciary.

Also, petition of Hall of Order of Railway Conductors, for bills H. R. 239 and S. 1657—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of the National Woman's Christian Temperance Union, against a Federal law relative to prohibition in the States—to the Committee on Alcoholic Liquor Traffic.

Also, paper to accompany bill for relief of Daniel Lane—to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of Daniel C. McEwen for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. CASTOR: Petition of the Philadelphia Clearing House, favoring an amendment to the national-banking act—to the Committee on Banking and Currency.

Also, petition of Spring Garden Council, No. 18, Junior Order United American Mechanics, of Philadelphia, Pa., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. CHANEY: Paper to accompany bill for relief of John W. Risher—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: Petition of the Commercial Law League of the United States, for the Lodge bill on the consular service—to the Committee on Foreign Affairs.

By Mr. CRUMPACKER: Paper to accompany bill H. R. 3024—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of the Woman's Christian Temperance Union of Pittsburg, on the McCumber-Sperry bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Pittsburg, for the anticanteen law—to the Committee on Military Affairs.

Also, petitions of the Woman's Home Missionary Society of Christ Methodist Episcopal Church, of Pittsburg, Pa., and the Woman's Christian Temperance Union of Pittsburg, favoring prohibition in the Indian Territory as a State—to the Committee on the Territories.

Also, petition of the Commercial Law League of America, favoring the consular bill—to the Committee on Foreign Affairs.

Also, petitions of Vesuvius Council, Junior Order United American Mechanics, and the Woman's Home Missionary Society, for the anticanteen law—to the Committee on Military Affairs.

Also, petition of the Woman's Home Missionary Society of Emory Methodist Episcopal Church, of Pittsburg, Pa., against sale of liquor on Army transports—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Mrs. Charles A. Wright et al., for prohibition in Indian Territory—to the Committee on the Territories.

By Mr. DOVENER: Paper to accompany bill for relief of Lucinda Gain—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Frances P. McMurtrie—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of the Commercial Law

League of America, for a law to reform the consular service—to the Committee on Foreign Affairs.

Also, petition of Dr. Edw. F. Janeway and 25 others, for a pure-food law—to the Committee on Agriculture.

By Mr. FLETCHER: Petition of the Western Fruit Jobbers' Association, relative to the interstate-commerce bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FLOYD: Paper to accompany bill for relief of Henry Albert Crandell—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of N. W. Plymate—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Smith Brothers & Sparks, of the National Stock Yards, for an amendment to the law governing the time stock may be kept in cars—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Alaska, relative to legislation for that Territory—to the Committee on the Territories.

Also, petition of the General Synod of the Reformed Church in America, against recognition of persons affiliated with the Mormon Church—to the Committee on the Judiciary.

By Mr. GILBERT: Petition of citizens of South McAlester and Indian Territory, for union of statehood of Indian Territory and Oklahoma—to the Committee on the Territories.

By Mr. GRANGER: Petition of Summit Grange, No. 15, Patrons of Husbandry, for passage of bill H. R. 345—to the Committee on Agriculture.

Also, petitions of the Woman's Christian Temperance Unions of Manton and Mount Pleasant, and the Methodist Episcopal Church of Phenix, R. I., against liquor traffic in Indian Territory and Oklahoma as States—to the Committee on the Territories.

Also, petition of Union Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Woman's Christian Temperance Union of Washington, R. I., against liquor traffic in Indian Territory—to the Committee on the Territories.

By Mr. HARDWICK: Paper to accompany bill (H. R. 12897) for relief of Robert B. Malone—to the Committee on Invalid Pensions.

By Mr. HAY: Paper to accompany bill for relief of Mary C. Spangler—to the Committee on Pensions.

By Mr. HENRY of Connecticut: Petition of Monitor Council, No. 61, Order United American Mechanics, of Glastenbury, Conn., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HINSHAW: Petition of the Farmers' Institute of Western, relative to railway freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Farmers' Institute of Western, favoring power for the President to adjust the tariff with foreign nations by reciprocal measures when the interests of the people demand—to the Committee on Ways and Means.

By Mr. HOWELL: Paper to accompany bill for relief of William C. Butler—to the Committee on Military Affairs.

By Mr. KETCHAM: Petition of Mount Hope Grange, No. 302, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of A. T. Johnson and 35 others, of Catskill, N. Y., for an investigation of the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. KNAPP: Petitions of Barnes Corners, Star, and St. Lawrence granges, Patrons of Husbandry, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. LAFEAN: Petition of 16 citizens of New York and vicinity, for relief of heirs of victims of the *General Slocum* disaster—to the Committee on Claims.

By Mr. LEVER: Paper to accompany bill for relief of James D. Blanding—to the Committee on Pensions.

By Mr. MAHON: Petition of Grange No. 1282, of Altenwold, Pa., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. MARTIN: Petition of Hall of Order of Railway Conductors, for bills H. R. 239 and S. 1657—to the Committee on the Judiciary.

Also, petition of Hall of Order of Railway Conductors, for bill H. R. 9328—to the Committee on the Judiciary.

By Mr. MILLER: Paper to accompany bill for relief of William N. Hughes—to the Committee on Military Affairs.

By Mr. OLMSTED: Petition of Samuel E. Light, against any bill for free denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Elizabethtown (Pa.) Council, Junior Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Paper to accompany bill for relief of James W. Jones—to the Committee on Invalid Pensions.

By Mr. SAMUEL: Petition of Master Grange, No. 88, of Benton, Pa., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. SMITH of Maryland: Papers to accompany bill to equalize rank and pay of certain retired officers of the Marine Corps—to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Worthington Goldsboro—to the Committee on Naval Affairs.

By Mr. SMITH of Pennsylvania: Petition of New Maysville Council, No. 395, Order United American Mechanics, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SPIGHT: Paper to accompany bill for relief of Abner W. Lanier—to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of Patti Rodgers Crawford—to the Committee on War Claims.

Also, paper to accompany bill for relief of A. C. Marr—to the Committee on War Claims.

Also, paper to accompany bill for relief of estate of Mrs. Harriett W. Flemming—to the Committee on War Claims.

Also, paper to accompany bill for relief of Mark M. Harwell—to the Committee on War Claims.

Also, paper to accompany bill for relief of Francis S. Jones—to the Committee on War Claims.

Also, paper to accompany bill for relief of W. M. McKie—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Paper to accompany bill for relief of Joseph Henry Martin—to the Committee on Pensions.

Also, paper to accompany bill for relief of W. B. Johnson—to the Committee on Pensions.

Also, paper to accompany bill for relief of William Winans—to the Committee on Pensions.

Also, paper to accompany bill for relief of Bayles E. Cobb—to the Committee on Pensions.

Also, paper to accompany bill for relief of Milton R. Dunagan—to the Committee on Pensions.

Also, paper to accompany bill for relief of William Cook—to the Committee on Pensions.

Also, paper to accompany bill for relief of J. W. McQuire—to the Committee on War Claims.

By Mr. STERLING: Paper to accompany bill for relief of Thomas Pinneo—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Olden Myers—to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: Petition of 16 citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. WEISSE: Petition of the Commercial Law League of America, against commercial spoliation of Niagara Falls—to the Committee on Foreign Affairs.

SENATE.

THURSDAY, January 25, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. TILLMAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

Mr. TILLMAN. Have we reached the order of petitions and memorials?

The VICE-PRESIDENT. The Chair will first lay before the Senate an executive communication.

Mr. TILLMAN. Very well.

ANNUAL REPORT OF COMMISSIONER OF PATENTS.

The VICE-PRESIDENT laid before the Senate the annual report of the Commissioner of Patents for the year ended December 31, 1905; which was referred to the Committee on Patents, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 5289) to provide for the selection of grand and petit jurors for the district courts in the Territory of Oklahoma; in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 87) to authorize the use of the transport *Sumner* to convey members of the Santiago Battlefield Commission and others to Cuba and return, and it was thereupon signed by the Vice-President.